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MINUTES OF
HAMILTON CITY
COUNCIL
JAN 10, 1995

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M21

1995

1995 January 10

Minutes of Hamilton City Council

Tuesday, 1995 January 10

7:30 o'clock p.m.

Council Chamber, City Hall

The Council met:

Present:

Mayor R. M. Morrow

Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross.

Absent:

Alderman T. Jackson - sick

Mayor R. M. Morrow called the meeting to order.

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The National Anthem was played.

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Reverend Kelvin Honsinger, Mission Services of Hamilton led Council in prayer.

PRESENTATIONS

Mayor R. Morrow presented a Certificate of Appreciation to Martin Hotz, President, Wally Kiczma, Executive Vice-President and Heng Lim, Vice-President of Hotz Environmental Services Inc. in recognition of that Company's contribution to the City of Hamilton.

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1995 January 10

Mayor R. Morrow presented Community Council Advisory Committee Volunteer Recognition Awards to the following:

David Beland, Citizen for Citizen - 5 Years of Service
Wanda Crouse, Kirkendall Neighbourhood Association - 5 Years of Service
Brenda Ellison, Templemead Community Council - 5 Years of Service
Rick Ellison, Templemead Community Council - 5 Years of Service
Michaelene Galan, Citizen for Citizen and Friends of Gage Park - 5 Years of Service
Lori Hinks, Gourley Park Association - 5 Years of Service
Dorothy Kluwak, Montgomery Park Association - 5 Years of Service
Shelly Lockley, Gourley Park Association - 5 Years of Service
Chuck Renaud, Kirkendall Neighbourhood Association - 5 Years of Service
Erik Taube, Beach Strip\Woodward Community Council - 5 Years of Service
Jack Morris, Gourley Park Association - 10 Years of Service
Dave Lockley, Gourley Park Association - 10 Years of Service
Dianne Dent, Durand Neighbourhood Council - Award of Distinction
Michaelene Galan, Citizen for Citizen and Friends of Gage Park - Award of Distinction
Jack Harris, Kirkendall Neighbourhood Association - Award of Distinction
Brenda Mitchell, Stinson Community Council - Award of Distinction
Pat Nusca, Powell Park - Award of Distinction
Gerry Rattray, Crown Point - Award of Distinction
Helen Rees, Eastmount Community Council - Award of Distinction
Neil Roberts, Trenholme Park Association - Award of Distinction
Gill Simmons, North End Neighbourhood Council - Award of Distinction
Pat Kirkley, President Representing Gilkson Community Council - 20 Years of Service

PROCLAMATION

Mayor R. Morrow proclaimed the week of January 16-22, 1995 as "National No Smoking Week" in the City of Hamilton and also proclaimed January 18, 1995 as "Weedless Wednesday" in the City of Hamilton.

ADOPTION OF MINUTES

The minutes of the meeting held 1994 December 13 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1994 December 22 from Starward Homes Ltd. and Ward Campbell, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to: "R-4" (Small Lot Single Family Dwelling) District for Blocks "1", "3", and "9"; "DE" (Multiple Dwellings) District, modified, for Block "2"; "C" (Urban Protected Residential, etc.) District for Blocks "4", "10", and "11"; and, "R-4" (Small Lot Single Family Dwelling) District, modified for Blocks "5", "6", "7", and "8", for lands located in the area south of the proposed Red Hill Creek Expressway, and west of West Fifth Street, Hamilton, Ontario.

Received.

2. Letter dated 1995 January 5 from R. Scott Smith, Secretary to the Board of Commissioners respecting the Hamilton Harbour Commissioners' Five Year Capital Budget.

Received.

3. Letter dated 1994 December 28 from the Executive Director of Management Services and City Clerk for the City of Burlington respecting the Transportation Association of Canada: New Visions in Urban Transportation.

Referred to the Transport and Environment Committee

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It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Eisenberger in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - THIRD REPORT

PLANNING AND DEVELOPMENT COMMITTEE - THIRD REPORT

Section 2 Re: Recreational Vehicles in Residential Zoning Districts

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 2 of the Third Report of the Planning and Development Committee for 1995 as amended by adding the word "not" following the word "continue" in the first line and the words "pertaining to recreational vehicles" following "#6593" in the second line and the words "until the public hearing scheduled for 1995 May." following the word "basis" in the second line.

Recorded vote on amendment.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Caplan, Copps, Eisenberger. -3.

CARRIED.

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Section 11 Re: Westdale Village B.I.A. Board of Management

Alderman Caplan declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Caplan has a business in this area.

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Section 19 Re: Downtown Hamilton B.I.A. Board of Management

Alderman Caplan declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Caplan has a business in this area.

PLANNING AND DEVELOPMENT COMMITTEE - FOURTH REPORT

FINANCE AND ADMINISTRATION COMMITTEE - SECOND REPORT

Section 6 Re: Offer to Purchase - Bill 163

It was moved by Alderman Charters and seconded by Alderman Merling that Section 6 of the Second Report of the Finance and Administration Committee for 1995 be amended by adding the following as Section 6(a)(v):

That the closing of this Offer to Purchase be subject to fulfilling all of the requirements of the newly proclaimed Bill 163 including but not limited to the passing of a procedural by-law pertaining to the disposal of municipal property. **CARRIED.**

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Section 8 Re: Use of City Hall Facilities

It was moved by Alderman Charters and seconded by Alderman Merling that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to permit consideration of the use of City Hall Facilities. **CARRIED.**

It was moved by Alderman Charters and seconded by Alderman Merling that the following be added as Section 8 of the Second Report for 1995 of the Finance and Administration Committee:

8. That approval be given to SHAIR International Resource Centre and the Rwanda Solidarity Committee to use the City Hall Council Chambers and Forecourt on Monday, 1995 January 23rd at 7:00 o'clock p.m. to hold a Memorial Service and Candlelight Vigil during Rwanda Awareness Week. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

BILLS

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills be read a first time:

D-6, D-7, D-8.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

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It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the following Bills, with Alderman Eisenberger in the chair. (second reading).

D-6, D-7, D-8.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

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Consideration of the Bills (second reading).

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It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the following Bills, be adopted:

D-6, D-7, D-8.

Recorded vote.

1995 January 10

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

D-6, D-7, D-8.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

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City Council then adjourned at 8:50 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz, City Clerk
1995 January 10

1995 January 10

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **THIRD** Report for 1995 and respectfully recommends:

1. (a) That approval be given to continue the development process for an addition and renovations to the existing south stands facility at Ivor Wynne Stadium to actualize a Press - Corporate Boxes facility for 1995; and,
(b) That approval be given to utilize a Design-Build project delivery system to accelerate the 1995 development schedule.

Respectfully Submitted,

**ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson
Secretary**

1995 January 10

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRD** Report for 1995 and respectfully recommends:

1. A. That approval be given to Official Plan Amendment No. 129 to establish a Special Policy Area to permit a mixed use commercial/residential building for general offices and a kitchen cabinet showroom and one (1) dwelling unit in a Residential designation, for property located at 852 Upper Wentworth Street and that the City Solicitor be directed to prepare the By-law of Adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- B. That approval be given to amended Zoning Application ZAC-94-26, Nicola Clarizio, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc) District, modified, (Block "2") and a modification to the "C" (Urban Protected Residential, etc) District (Block "1") to permit general offices and a kitchen cabinet showroom on the first and second floor, and one dwelling unit on the second floor for lands located at 852 Upper Wentworth Street, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as a Site Plan Control Application has been submitted and approved.

City Council may remove the 'H' symbol, and thereby give effect to the "C" District - Modified provisions as stipulated in this By-law by enactment of an amending By-law once the condition is fulfilled; and,
 - (b) That Block "1" be rezoned from "C" (Urban Protected Residential, etc) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District; and,
 - (c) That Block "2" be rezoned from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District; and,

- (d) That the "C" (Urban Protected Residential, etc) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, shown as Blocks "1" and "2", be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 9(1), of Zoning By-law No. 6593, the following uses shall be permitted:
 - (1) General offices and a kitchen cabinet showroom on the first and second floor and having a maximum total gross floor area of not more than 95.0m²; and,
 - (2) One dwelling unit on the second floor; and,
 - (3) An unlighted name plate having an area of not more than 0.2 square metres attached to and, as nearly as practicable, flush with the wall of the building; and,
 - (ii) That Section 18A(26) of Zoning By-law No. 6593 shall not apply; and,
 - (iii) That a minimum 3.0 m wide landscape planting strip and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the westerly lot line of Block "1".
 - (e) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1336, and that the subject lands on Zoning District Map E-18 be notated S-1336; and,
 - (f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18 for presentation to City Council; and,
 - (g) That the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 129 by the Regional Municipality of Hamilton-Wentworth; and,
 - (h) That the approved Bruleville Neighbourhood Plan be amended to change the designation of the lands located at 852 and 860 Upper Wentworth Street from "Medium Density Apartments" to "Commercial/Residential Conversion" and "Single and Double Housing".
- C. That Site Plan Control By-law No. 79-275, as amended by By-law 87-233, be amended by adding the subject lands to Schedule "A".

2. That the Building Commissioner be authorized and directed to continue **NOT** to enforce Zoning By-law #6593 pertaining to recreational vehicles on a request for service basis until the public hearing scheduled for 1995 May. In the case of the list of 75 complaints against Recreational Vehicles in Residential Zoning Districts he is to take no further action. **AMENDED.**

Recorded vote on amendment.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Caplan, Copps, Eisenberger. -3. **CARRIED.**

3. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearing regarding an appeal to the Committee of Adjustment decision to deny Application No. A-94:225, respecting property located at 476 and 478 Upper Wellington Street.
4. (a) That approval be given to the "Intent to Designate" the Lister Block at 28-44 James Street North/5-21 King William Street as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983, as outlined in the Reasons for Designation attached herewith and marked as Appendix "B", and
- (b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.
5. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of three hundred and forty-nine dollars (\$349.) be approved for William and Karen Codd, 50 Robins Avenue. The interest rate will be 8 per cent amortized over 5 years.
6. That the Building Commissioner be authorized to issue a demolition permit for 37 Dickson Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
7. That the Building Commissioner be authorized to issue a demolition permit for 80 Hillyard Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
8. That the Building Commissioner be authorized to issue a demolition permit for 535 Wentworth Street North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

9. (a) That Schedule 'B' of By-law No. 86-212, as amended, appointing the International Village B.I.A. Board of Management be repealed and the following names substituted:

Wolfgang Schoen
Paul Kircos
Gord Thompson
John Kenyon
Jason Kropf
Pat J. Connell
Agostino Ammendolia

Black Forest Inn
Alexanian Carpets
Thompson Jewellery and Pawn
Payne Music
Rave Records
Canadian Imperial Bank of Commerce
Ammendolia Realty

- (b) That the City Solicitor be authorized and directed to amend Schedule 'B' of By-law No. 86-212 pursuant to (a) above.

10. (a) That the 1995 operating budget of the International Village B.I.A. (attached as Appendix "C") be approved in the amount of forty-six thousand, three hundred and seventy-six dollars (\$46,376.); and,

- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O.1990, to levy the 1995 budget as referenced in (a) above; and,

- (c) That the following Schedule of Payments for 1995 be approved:

January 01	\$23,188.
September 01	\$23,188.

Note: 1994 Levy Arrears will be deducted from the payments for 1995.

11. (a) That Schedule 'A' and 'B' of By-law No. 86-98, as amended, appointing the Westdale Village B.I.A. Board of Management, be repealed and the following names substituted:

Schedule 'A'

Alderman M. Kiss
Alderman M. Caplan

Schedule 'B'

D. Upsdell	Oddities
S. Snider	The Picture Frame
F. Wands	Retirement Counsel of Canada

M. B. Ledden	Judy Marsales Real Estate
R. Lahie	Jack Carruth Shoe Store
G. Ditner	Cottage Florist
D. Simpson	Simpson Watson and Vujnovic
J. Rosenweig	Chez Bon Bon

- (b) That the City Solicitor be authorized and directed to amend Schedule 'A' and 'B' of By-law 86-98 pursuant to (a) above.
12. (a) That the 1995 operating budget of the Westdale Village B.I.A. (attached as Appendix "D") be approved in the amount of twenty-five thousand dollars (\$25,000.); and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1995 budget as referenced in (a) above; and,
- (c) That the following Schedule of Payments for 1995 be approved:

January 15	\$6,250.
March 15	\$6,250.
June 15	\$6,250.
September 15	\$6,250.

Note: 1994 Levy Arrears will be deducted from the payments for 1995.

13. (a) That Schedules 'A' and 'B' of By-law No. 92-078, as amended, appointing the Main West Esplanade B.I.A. Board of Management, be repealed and the following names substituted:

Schedule 'A'

Alderman M. Kiss
Alderman M. Caplan

Schedule 'B'

M. Farrugia	Calla Decor and Design
A. Perniac	Lorne Haverty Limited
J. Castellano	Castellano Real Estate
J. Morrison	Royal Bank
M. Barnard	Barnard Speziale Design Associates Ltd.

- (b) That the City Solicitor be authorized and directed to amend Schedules 'A' and 'B' of By-law No. 92-078 pursuant to (a) above.

14. (a) That the 1995 operating budget of the Main West Esplanade B.I.A. (attached as Appendix "E") be approved in the amount of four thousand, four hundred dollars (\$4,400.); and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1995 budget as referenced in (a) above; and,
- (c) That the following Schedule of Payments for 1995 be approved:

January 15	\$1,100.
March 15	\$1,100.
June 15	\$1,100.
September 15	\$1,100.

Note: 1994 Levy Arrears will be deducted from the payments for 1995.

15. (a) That Schedule 'A' and 'B' of By-law No. 87-308, as amended, appointing the Barton General B.I.A. Board of Management be repealed and the following names substituted:

Schedule 'A'

Alderman B. Morelli
Alderman D. Drury

Schedule 'B'

Keith Cody	Cody's Wallcoverings
Marko Tollis	The Riveria Banquet Centre
Janice Robinson	Royal Bank
Mark Daily	Marco's Pizza and Subs

- (b) That the City Solicitor be authorized and directed to amend Schedule 'A' and 'B' of By-law No. 87-308 pursuant to (a) above.
16. (a) That the 1995 operating budget of the Barton General B.I.A. (attached as Appendix "F") be approved in the amount of six thousand dollars (\$6,000.); and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1995 budget as referenced in (a) above; and,

- (c) That the following Schedule of Payments for 1995 be approved:

January 01	\$1,500.
March 01	\$1,500.
June 01	\$1,500.
September 01	\$1,500.

Note: 1994 Levy Arrears will be deducted from the payments for 1995.

17. (a) That Schedule 'A' and 'B' of By-law No. 86-99, as amended, appointing the Ottawa Street B.I.A. Board of Management be repealed and the following names substituted:

Schedule 'A'

Alderman B. Morelli
Alderman D. Drury
Alderman G. Copps
Alderman D. Wilson

Schedule 'B'

Gord Culshaw	A & B Catering
Michael Kier	Surplus-Plus
Gerald R. Carrey	Howard's Flower Shoppe
John Gut	The Textile Centre
John Driscoll	Price Busters
Edith Desmarais	Fred Gregory Florist
Rosemary Young	Wentworth Paints
Greta Munt	Greta's Flaire
Herb Pelz	E-Z Type Design
Tony Bifano	Anton's Video

- (b) That the City Solicitor be authorized and directed to amend Schedule 'A' and 'B' of By-law No. 86-99 pursuant to (a) above.

18. (a) That the 1995 operating budget for the Ottawa Street B.I.A. (attached as Appendix "G") be approved in the amount of forty-seven thousand, five hundred dollars (\$47,500.); and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1995 budget as referenced in (a) above; and,

- (c) That the following Schedule of Payments for 1995 be approved:

January 15	\$11,875.
March 15	\$11,875.
June 15	\$11,875.
September 15	\$11,875.

Note: 1994 Levy Arrears will be deducted from the payments for 1995.

19. (a) That Schedule 'B' of By-law No. 86-73, as amended, appointing the Downtown Hamilton B.I.A. Board of Management, be repealed and the following names substituted:

R. Titian	Reggie's Music and Sound
G. Attard	Geraldo's/Ramada Hotel
D. Kinash	Gaslight Tavern
T. Fraleigh	Tefcom Ltd./Grindstone Properties
P. Bhatia	Accountax and Paralegal
W. Gerovsky	Leeds of Hamilton
A. Morgante	Adventure Attic
M. Caplan	Marvin Caplan Gentlemen's Apparel
J. Livingston	Livingston Furs
R. Harris	Harris and Henderson
D. Hannah	Canadian Imperial Bank of Commerce

- (b) That the City Solicitor be authorized and directed to amend Schedule 'B' of By-law No. 86-73 pursuant to (a) above.

20. (a) That the operating budget of the Downtown Hamilton B.I.A. (attached as Appendix "H") be approved in the amount of eighty-four thousand dollars (\$84,000.); and,

- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1995 budget as referenced in (a) above; and,

- (c) That the following Schedule of Payments for 1995 be approved:

January 15	\$21,000.
March 15	\$21,000.
June 15	\$21,000.
September 15	\$21,000.

NOTE: 1994 Levy Arrears will be deducted from the payments for 1995.

21. (a) That Schedules 'A' and 'B' of By-law No. 86-144, as amended, appointing the Concession Street B.I.A. Board of Management be repealed and the following names substituted:

Schedule 'A'

Alderman H. Merling
Alderman T. Anderson

Schedule 'B'

Betty Toplack	Mountain Bookstore
Ray Devries	Ford & Associates
Roger Burroughs	Camtech
Norm Woolcott	Woolcott's Shoes

- (b) That the City Solicitor be authorized and directed to amend Schedules 'A' and 'B' of By-law No. 86-144 pursuant to (a) above.
22. (a) That the 1995 operating budget of the Concession Street B.I.A. (attached as Appendix "I") be approved in the amount of eight thousand, five hundred and seventy-five dollars (\$8,575.); and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1995 budget as referenced in (a) above; and,
- (c) That the following Schedule of Payments for 1995 be approved:

January 15	\$2,143.75
March 15	\$2,143.75
June 15	\$2,143.75
September 15	\$2,143.75

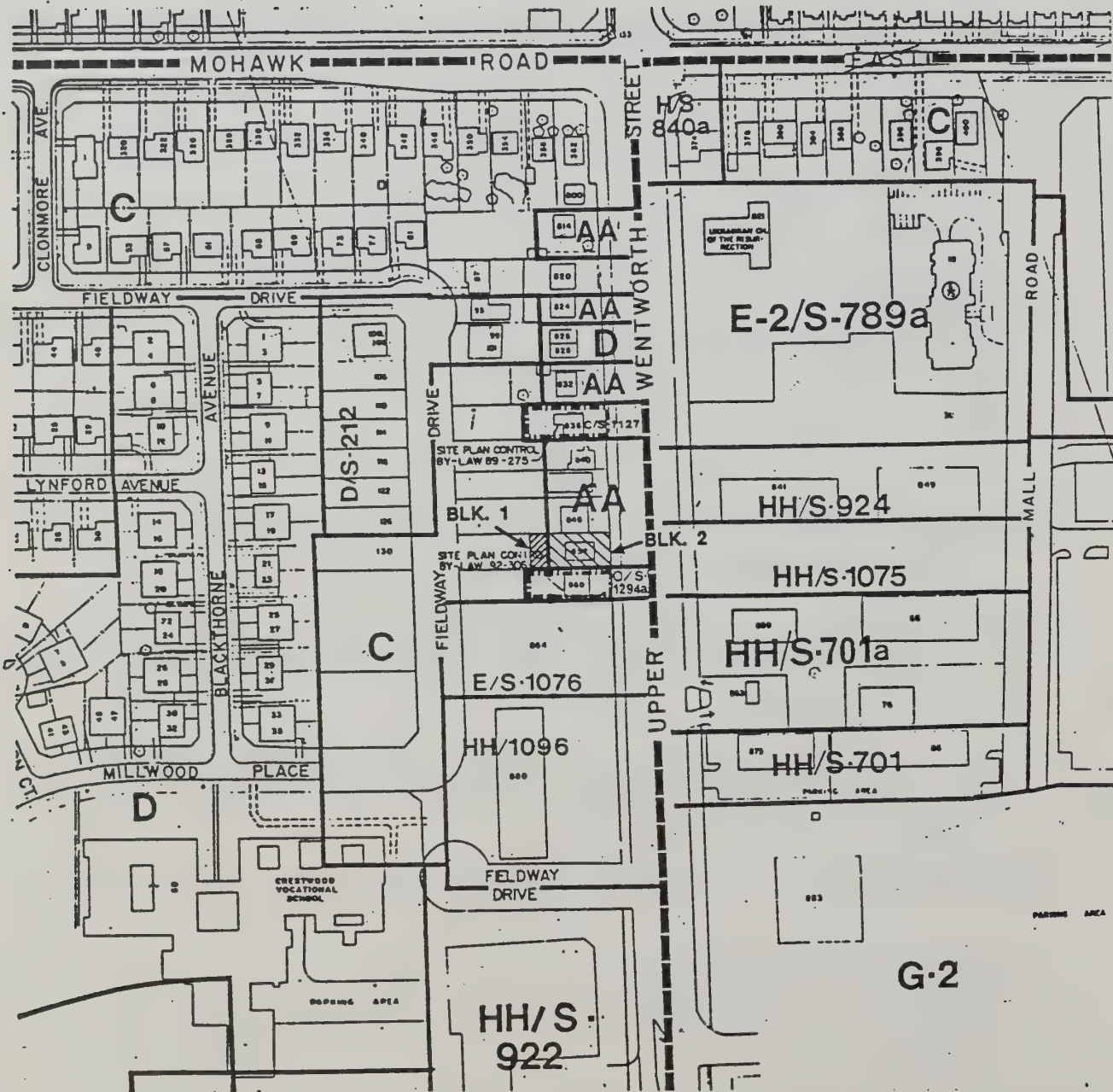
Note: 1994 Levy Arrears will be deducted from the payments for 1995.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT
COMMITTEE**

**Stella Glover, Secretary
1995 January 4**

1995 January 10



Legend

- | | | |
|---------|---|--|
| BLOCK 1 |  | Proposed modification to the "C" (Urban Protected Residential, etc.) District. |
| BLOCK 2 |  | Proposed change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified. |


ZAC-94-26

REASONS FOR DESIGNATION

1995 January 10

Lister Block

28–44 James Street North / 5–21 King William Street

Context

The imposing six-storey retail/office building known as the *Lister Block* has been a prominent downtown landmark since erected in 1923 at the north-east corner of James Street North and King William. Its height, corner location, large double street frontage, and assertive architectural design have all contributed to its dominant character. An anchor block on both streets, its strong presence has been further accentuated in recent years by two major changes to the historic James North streetscape: the replacement of the four- and six-storey T. Eaton Co. department store (1916/20) to the north-west by the lower Eaton Centre (1990) and the large gap created by the demolition of the 1929 Zeller's building to the south.

The Lister Block originally stood in the heart of Hamilton's civic core, directly across from the City Hall (1888) and Market Square, and just south of the Federal Building (1856/1920). The downtown urban renewal scheme, initiated by the opening of the new City Hall in 1960, however, gradually shifted the focus of civic and cultural activity away from James Street North, resulting in the loss of two major Victorian landmarks: the old City Hall and the Grand Opera House (1880) located two blocks to the north.

From an urban design perspective, full advantage was taken of the corner site. Equal architectural emphasis was given to the six- and eight-bay street elevations, with entrances provided to the L-shaped arcade from both James and King William. The use of the traditional truncated corner served to orient the building both to the intersection of James and King William and the open space beside City Hall, known as Market Square. Despite changes to the original street pattern and built forms, the Lister Block still relates very well to its setting and maintains a commanding presence.

History

The Lister Block site is noteworthy for its long-term association with the Lister family, dating back to the 1850s when the original four-storey stone commercial block was erected for Joseph Lister. Following a devastating fire in 1923 which left the structure in ruins, plans were immediately drawn up for a larger, six-storey fireproof building by his son and manager since 1911, J.E. Lister. It was Lister's proclaimed ambition to provide the most up-to-date and central accommodation for small merchants at the lowest possible rents: stores facing James and King William, a two-level interior shopping arcade and office suites on the upper four floors. Within several years, Lister's ambitious project proved to be a success, attracting a variety of retail stores as well as service-oriented businesses and agencies (e.g. cafes, barber shops, beauty salons, medical practitioners, accountants, real estate agents, building societies, and charitable organizations). Joseph and J.E. Lister were both successful businessmen who demonstrated the family's confidence in and commitment to Hamilton through their respective Lister Block developments.

The present Lister Block remained largely occupied until the mid-1970s. Long-standing tenants have included the Tait-Gibson Optical House, one of the first occupants in 1927 and still located at #44, Anne Foster Music Shop at #36 since 1942, and the former White Grill Restaurant, located at #40 for over forty years.

Architecture

The Lister Block is significant as Hamilton's oldest surviving major retail/office complex with a large interior arcade. It also ranks among the city's best surviving examples of the decorative use of terra cotta. Moreover, it is one of the most distinctive buildings designed by the local architectural firm of Bernard Prack & Co. (later Prack & Prack), whose achievements included the tall Gothic-inspired 1929 Pigott Building. Typical of early 20th century office buildings, the Lister Block combined technically advanced fire-proof construction with traditional architectural materials and forms. Stylistically, it followed the Renaissance Revival precedent adopted for Hamilton's pre-modern tall buildings, such as the Royal Connaught Hotel (1914-16), and was similarly characterized by the tripartite division of its facades into base, shaft and capital, all articulated by classical elements and details. The massing of the Lister Block, however, more closely resembled that of the early 20th century department store, with its bulkier proportions and horizontal emphasis (as exemplified by the original T. Eaton Co. building).

To the architect's credit, the Lister Block is distinguished by the clear architectural expression of its dual function, the skilful handling of Renaissance Revival forms, and high-quality materials employed in a visually effective manner. The building consists of a reinforced concrete frame clad in brick, terra cotta and sheet copper. The white glazed terra-cotta facade of the lower two stories of retail space comprises fluted pilasters supporting an entablature punctuated by decorative medallions aligned with the capitals. Set within this classical framework are the individual storefronts and wide display windows above. In contrast, the facade of the four stories of office space above is divided into bays of tall sash windows and copper spandrel panels by piers of dark brown rug brick. Crowning the facade is a white glazed terra-cotta entablature similar in design to the lower one, but more elaborate.

The L-shaped interior arcade, claimed at the time of its opening to be the first in Hamilton with a second level of shops, is also noteworthy for its architectural treatment: corridors with marble and patterned terrazzo flooring lined with varnished wood and plate-glass storefronts, and at street level, decorative plasterwork in the form of arches sprung from classical pilasters, and square skylights (originally domed on the interior).

The Lister Block has, to a large extent, preserved its original architectural character. Most of its original exterior and interior features are intact; and exterior alterations have mainly occurred at ground floor level: most noticeably, the partial removal of two corner pilasters. Only the storefront of Anne Foster Music (#36) still stands unaltered.

Designated Features

Important to the preservation of the Lister Block are the original architectural features of:

- the two street facades (west and south), including all original windows, the one original storefront at #36, and the decorative terra-cotta and copper work, but excluding recent alterations to the storefronts and arcade entrances;
- the two-level interior arcade, including the shopfronts, decorative plasterwork, marble and terrazzo flooring, and skylights (excluding the recent bubble domes).

1995 January 10

INTERNATIONAL VILLAGE B.I.A. APPROVED BUDGET - 1995 (January 01-December 31, 1995)

<u>OPERATIONS:</u>	<u>Gross</u>	<u>Recovery*</u>	<u>Net</u>
Office Costs	\$ 3,500.	\$ 2,000.	\$ 1,500.
Utilities/Telephone	1,400.	900.	500.
Supplies	1,500.	1,000.	500.
Bank Charges	<u>450.</u>	<u>200.</u>	<u>250.</u>
	\$ 6,850.	\$ 4,100.	\$ 2,750.
<u>WAGES:</u>			
Executive Director	\$20,000.	\$ 6,000.	\$14,000.
Wage Costs	<u>2,300.</u>	<u> </u>	<u>\$ 2,300.</u>
	\$22,300.	\$ 6,000.	\$16,300.
Training	<u> </u>	<u>2,250.</u>	<u>(2,250.)</u>
	\$22,300.	\$ 8,250.	\$14,050.
Insurance	\$ 1,000.		\$ 1,000.
Audit	300.		300.
Advertising & Promotion:			
Print	3,500.		3,500.
Radio	3,500.		3,500.
Promotion	<u>8,000.</u>	<u>1,724.</u>	<u>5,800.</u>
	\$16,300.	\$ 1,724.	\$14,576.
Allowance on uncollected '94 Levy	<u>\$15,000.</u>	<u> </u>	<u>\$15,000.</u>
	<u>\$60,450.</u>	<u>\$13,350.</u>	<u>\$46,376.</u>

* Based on 3 Job Development Clients May to December

1995 January 10

Appendix "D" referred
to in Section 12 of the
THIRD Report of the
Planning and Development
Committee for 1995.

WESTDALE VILLAGE B.I.A. APPROVED 1995 BUDGET

Office & Internal Expenses	\$2,500.
Advertising	\$3,000.
Sidewalk Sale	\$2,000.
Insurance	\$ 500.
Hydro	\$ 500.
Auditor	\$ 500.
Beautification	\$2,000.
Christmas Decorations	\$1,500.
Walk of Hope	\$1,000.
Festival	\$4,000.
Allowance on uncollected '94 levies	\$7,500.
TOTAL	<u>\$25,000.</u>

MAIN WEST ESPLANADE B.I.A. APPROVED 1995 BUDGET

Christmas Decorations	\$1,800.
Insurance	\$ 500.
Auditor	\$ 400.
Hydro	\$1,400.
Meeting Costs	\$ 300.
	<u>\$4,400.</u>

1995 January 10

Appendix "F" referred
to in Section 16 of the
THIRD Report of the
Planning and Development
Committee for 1995.

BARTON GENERAL B.I.A. - 1995 APPROVED BUDGET

<u>ITEM</u>	<u>AMOUNT</u>
Street Festival	\$4,000.
Advertising	\$1,000.
Hall Rentals and Lunches	\$ 500.
Contingency Fund	\$ 500.
	—
<u>TOTAL</u>	<u>\$6,000.</u>

OTTAWA STREET B.I.A. 1995 APPROVED BUDGET

Advertising:

Christmas	\$3,500.	
Summmer Festival	\$4,500.	
Special Promotions	<u>\$2,500.</u>	
		\$10,500.

Contingency Fund:	\$20,000.	\$20,000.
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Garbage Removal:	12 x \$100.	\$ 1,200.
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Insurance:	\$900.	\$ 900.
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Office:

Printing	\$2,500.	
Administration	\$1,000.	
Rent	\$1,200.	
Utilities	\$1,200.	
Telephone	<u>\$ 800.</u>	\$ 6,700.

Street Cleaner's Wages:	35 x \$180.	\$6,300.	
Street Cleaner's Benefits:	15% (wages)	\$ 945.	
Street Cleaner's Supplies:		\$ 955.	\$8,200.

<u>TOTAL</u>	<u>\$47,500.</u>
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1995 January 10

Appendix "H" referred
to in Section 20 of the
THIRD Report of the
Planning and Development
Committee for 1995.

DOWNTOWN HAMILTON B.I.A. APPROVED 1995 BUDGET

General Administration	\$29,000.
Fountain Foundation	\$10,000.
Strategic Plan	\$ 4,000.
Committee Fund	\$20,000.
Reserve	\$21,000.
TOTAL	<u>\$84,000.</u>

**CONCESSION STREET B.I.A.
APPROVED 1995 BUDGET****Advertising and Promotion**

Installation & Storing of Christmas Decorations	4,000.
Hydro - Christmas Lights	800.
Advertising and Promotion	2,425.
	7,225.

Administration

Association Dues	400.
Insurance	550.
Accounting	300.
Bank Charges	100.
	1,350.

Office

Newsletter	500.
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Other

Miscellaneous	500.
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\$9,575.

Income Other Sources	\$1,000.
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TOTAL LEVY \$8,575.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTH** Report for 1995 and respectfully recommends:

1. The compromise reached with respect to amended Zoning Application ZAC-93-17, Latco (1986) Developments Limited, owner, for lands located at 85 Robinson Street (Thistle Club), as shown on the attached map marked as appendix "A", between the owner (Latco (1986) Developments Limited) and the Durand Neighbourhood Association can be supported on the following basis:
 - the existing By-law No. 88-261 is to be amended so that the developer has two individual options for the development of the property:
 - the first option would be to allow that which is permitted under By-law No. 88-261;
 - the second option would allow for:
 - (a) two apartment buildings, one fronting onto Robinson Street and one fronting onto Charlton Avenue, and the remaining Thistle Club building with a maximum gross floor area ratio of 2.25 times lot coverage (approximately 17,490 m² or 188,270 feet²);
 - (b) if/when the remaining Thistle Club building is demolished, the vacant lands would be redeveloped on the following basis:
 - (i) maximum gross floor area of 2545 m² (27,395 feet²);
 - (ii) maximum height of 4 stories;
 - (iii) minimum yard requirements: as per attached Appendix "B";
 - (iv) permitted uses in accordance with the "E" District regulations; and townhouses, street townhouses and maisonettes in accordance with the "RT-20" District regulations;
 - (v) maximum gross floor area ratio, including two apartment buildings in Part (a) above, would not exceed 2.25;

- (vi) parking will be permitted on the lands upon which the building facing Robinson Street and the building facing Charlton Avenue are to be constructed;
- (c) the following will be established with respect to amenity area:
 - (i) "amenity area" be defined as "an area on the same lot accessory to a residential use, including communal areas such as swimming pools, lounges, and recreation areas";
 - (ii) amenity area will be provided on the following basis:

Building facing Robinson Street - a minimum of 278.7 m^2 (3000 feet²); and,

Building facing Charlton Avenue - a minimum of 371.6 m^2 (4000 feet²);
 - (iii) required amenity area will not be calculated as part of the gross floor area ratio of 2.25 up to maximums as set out below:

Building facing Robinson Street:
Amenity area to a maximum of 278.7 m^2 (3000 feet²) will not be included in the gross floor area calculation;

Where balconies are enclosed, the resultant increase in gross floor area will be excluded up to a maximum of 696.75 m^2 (7500 feet²);

Building facing Charlton Avenue:
Amenity area to a maximum of 371.6 m^2 (4000 feet²) will not be included in the gross floor area calculation;

Where balconies are enclosed the resultant increase in gross floor area will be excluded up to a maximum of 836.1 m^2 (9000 feet²);
- (d) not more than 200 dwelling units in the building facing Robinson Street and the building facing Charlton Avenue combined (not including the remaining Thistle Club lands);
- a site specific by-law be prepared in a form similar to By-law No. 92-197 (the Carter Square by-law);

1995 January 10

- the applicant will engage traffic engineers to work with the Durand Neighbourhood Association and make recommendations to the City Traffic Department concerning the traffic impacts on Charlton Avenue; and,
 - the applicant will provide an undertaking to:
 - provide the Durand Neighbourhood Association with a copy of its proposed Site Plan at the time it is filed with the City and consult in good faith with Durand on the Site Plan during the site plan process; and,
 - obtain and reasonably consider professional advice regarding the potential of the building design to cause wind shear or cyclonic impact at the ground level of the building facing Robinson Street.
2. That staff be directed to advise the Ontario Municipal Board that the City supports the compromise as set out in Recommendation No. 1.

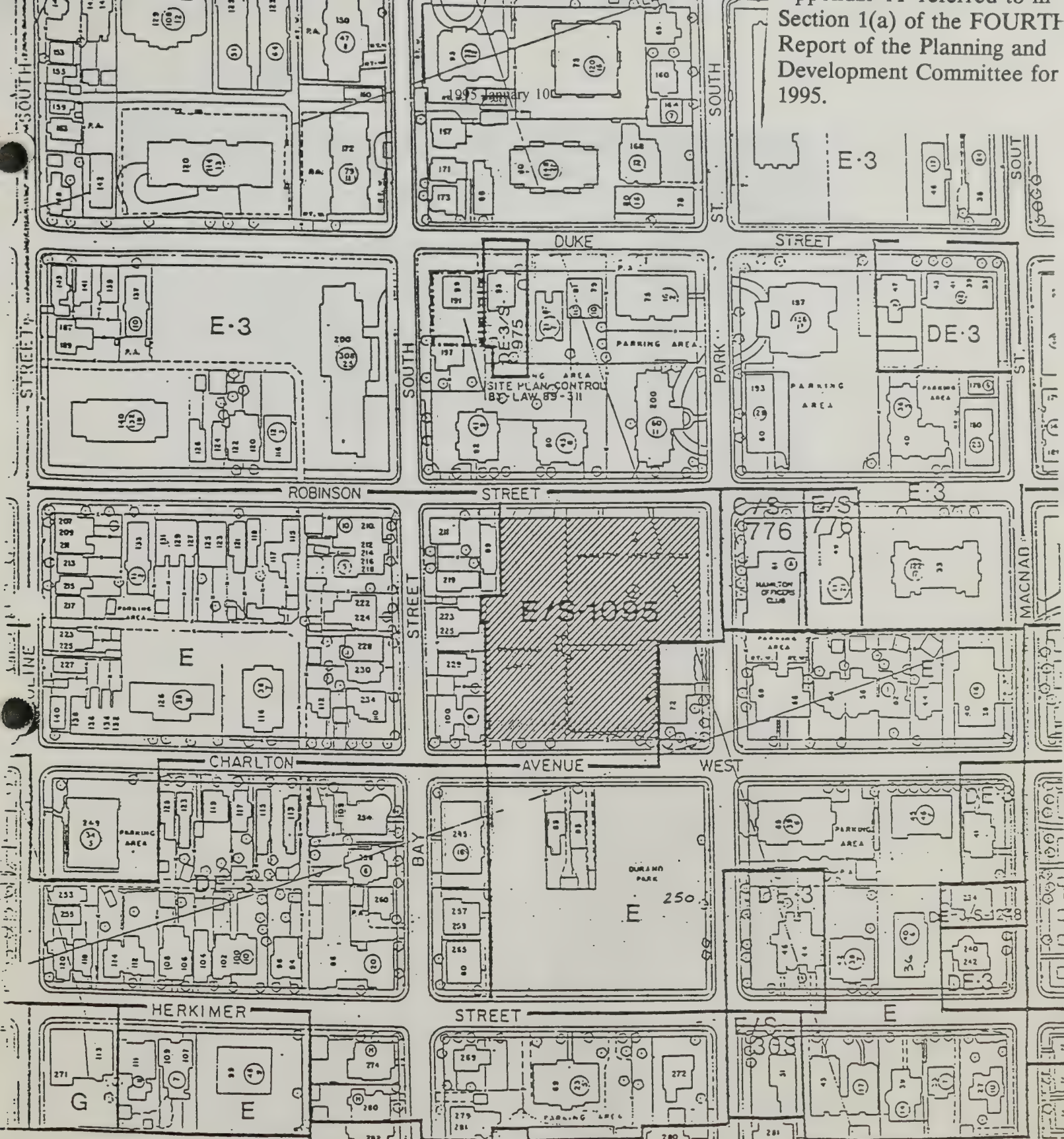
RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT
COMMITTEE**

**Stella Glover
Secretary**

1995 January 10

Section 1(a) of the FOURTH
Report of the Planning and
Development Committee for
1995.

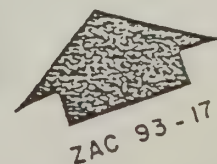


Legend



Site of the Application

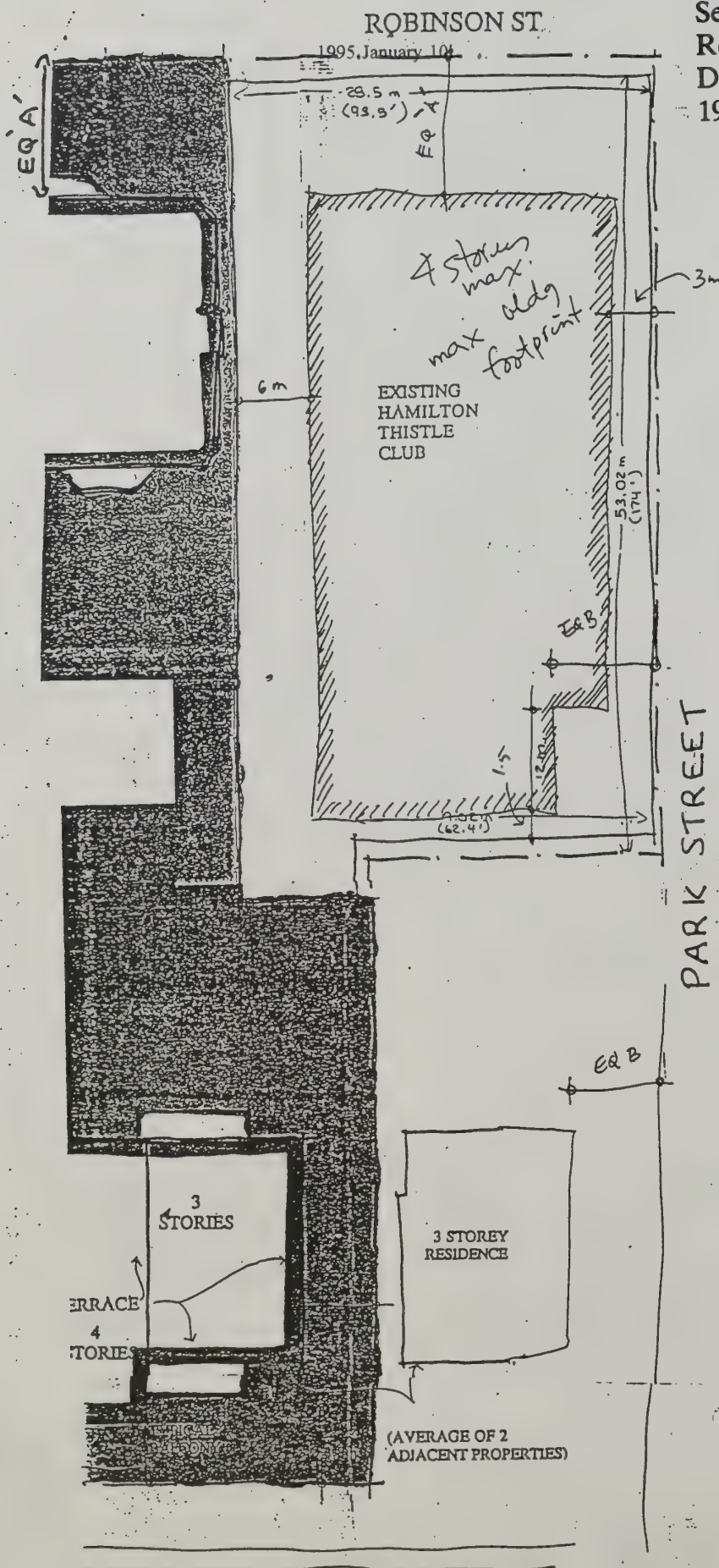
150



ZAC 93-17

APPROVED

Appendix "B" referred to in
Section 1(b)(iii) of the FOURTH
Report of the Planning and
Development Committee for
1995.



REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SECOND** Report for 1995 and respectfully recommends:

1.
 - (a) That the City resolve Ontario Court (General Division), Small Claims Court Action No. 1107/94 by the payment to the Plaintiff, Kathleen Corbett of the sum of \$3,000. inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory the City Solicitor; and,
 - (c) That Ontario Court (General Division), Small Claims Court Action No. 1107/94 be dismissed without costs.
2. That the City withdraw the request for Leave to Appeal of the decision of the Provincial Court in the Sun Studio Tanning Centres Ltd. case which struck down a provision of By-Law No. 93-071.
3.
 - (a) That Section 24 of the Fourteenth Report for 1994 of the Finance and Administration Committee, and By-law 94-159 adopted by Council on 1994 September 27th, authorizing an Agreement to extend the time open for the payment of tax arrears for property at 39 Mary Street upon specified terms, be amended to approve the following revised terms :
 - (i) To extend the date for payment of the balance in full, with interest, of 1994 arrears of business taxes from 1994 December 31 to 1995 January 22; (Business Tax Roll numbers 02-01535-0940-0020-941 and 01-01035-3120-0020-941); and,
 - (ii) To extend the time open for the payment of realty tax arrears, by monthly instalments each and every month during 1995, commencing 1995 January 22 (such payment also including portion of 1995 realty taxes), such that all realty tax arrears (and 1995 realty taxes) are paid in full on or before 1995 December 22; and,
 - (b) That the City Solicitor be authorized to prepare for presentation to Council the appropriate By-law to amend By-law 94-159 to authorize these amendments and to authorize an agreement to amend the Extension Agreement dated September 28, 1994; and,

(c) That the Mayor and City Clerk be authorized to execute the By-law and the Amending Extension Agreement.

4. That the listing of Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1994 December 19, attached herewith and marked Appendix "A", be approved.

5. That the following amendment to the International Union of Bricklayers and Allied Craftsmen, Local 1, contract be received pursuant to the Fair Wage Policy of the Corporation of the City of Hamilton:

(Conditions remain in effect until 1994 April 30)

<u>Eff. Date</u>	<u>Hrly. Wage Rate</u>	<u>I.U. Pension</u>	<u>Welfare</u>
1994 Nov. 1	\$23.29	\$1.00	\$1.53

6. (a) (i) That an Offer to Purchase, duly executed by the Purchasers Corrine Martin and John Martin, on 1994 December 19 and scheduled to close thirty (30) days following the completion of the conditions set out in Schedules "B" and "C" of the Offer or 1995 May 17 whichever is earlier, for the purchase of a vacant parcel of land, being part of Lot 14, Concession 8, in the former Township of Barton, now in the City of Hamilton, having frontage located on the easterly limit of DiCenzo Drive of 28.423 metres (93.25 feet) more or less, containing an area of 372.15 square metres (4,005.9 square feet) more or less, be approved and completed and the funds derived from this sale of \$2. be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,
- (ii) That the closing of this Offer to Purchase be subject to the City of Hamilton accepting and completing an Option to Purchase, executed by Corrine Martin and John Martin, for the purchase of part of the property at 100 Stone Church Road East, Hamilton by the City. The said Option to Purchase and this Offer to Purchase are to be accepted by City Council concurrently and both properties are to be finalized contemporaneously with each other; and,
- (iii) That the closing of the transfer to Corrine Martin and John Martin be conditional upon the transfer to the City by Corrine Martin and John Martin provided for in the Option to Purchase referred to above; and,
- (iv) That this Offer to Purchase be conditional upon each of the following events taking place prior to the closing date:

- (1) A City by-law being approved and passed to rezone the subject lands from "B" to "B-2" and "B-2" modified in accordance with the requirements of the Planning Act, R.S.O. 1990, c.P-13, (Planning Act); and,
 - (2) A consent to sever adjacent lands owned by the Purchaser, being obtained in accordance with the requirements of the Planning Act; and,
 - (3) A period of at least thirty (30) days elapsing since the passage of the by-law and the consent to land severance referred to in (1) and (2) above within which time period no appeal has been launched at the Ontario Municipal Board pursuant to the provisions of the Planning Act, and the by-law and consent having therefore become final and binding; and,
 - (4) The Purchaser and the Vendor (the City) mutually agree that the herein Offer shall not be assigned; and,
 - (5) That in the event that the above conditions are not met, then this Offer to Purchase shall be null and void; and,
 - (6) That as these conditions are for the benefit of the Purchaser, the Purchaser may, at any time on or before the closing date, at its option, by written notice to the City, waive the benefit of these conditions. Such notice shall be given to the City prior to the closing date; and,
- (v) That the closing of this Offer to Purchase be subject to fulfilling all of the requirements of the newly proclaimed Bill 163 including but not limited to the passing of a procedural by-law pertaining to the disposal of municipal property. **ADDED.**
- (b) (i) That an Option to Purchase, duly executed by the owners, Corrine Martin and John Martin, on 1994 December 19 and scheduled to close thirty (30) days following the completion of the conditions set out in Schedules "B" and "C" of the Option or 1995 May 17 whichever is earlier, for the purchase by the City of a vacant parcel of land being part of Lot 14, Concession 8, in the former Township of Barton, now in the City of Hamilton, containing an area of 451.57 square metres (4,860.9 square feet) more or less, being part of 100 Stone Church Road East, Hamilton, be approved and completed and the purchase price of \$2. be charged to Account No. CH 5X301 00102 (Reserve for Property Purchases); and,
 - (ii) That the closing of this Option to Purchase be subject to the City of Hamilton accepting and completing an Offer to Purchase, executed by Corrine Martin and John Martin, for the purchase of part of the property being part of Lot 14, Concession 8, in the former Township of Barton, in

the City of Hamilton. The said Offer to Purchase and this Option to Purchase are to be accepted by City Council concurrently and both properties are to be finalized contemporaneously with each other; and,

- (iii) That the closing of the transfer to the City is conditional upon the transfer to Corrine Martin and John Martin by the City provided for in the Offer to Purchase referred to above; and,
- (iv) That this Option to Purchase be conditional upon each of the following events taking place prior to the closing date:
 - (1) A City by-law being approved and passed to rezone the subject lands from "B" to "B-2" and "B-2" modified in accordance with the requirements of the Planning Act, R.S.O. 1990, c.P-13, ("Planning Act"); and,
 - (2) A consent to sever adjacent lands of the Owner being obtained in accordance with the requirements of the Planning Act; and,
 - (3) A period of at least thirty (30) days elapsing since the passage of the by-law and the consent to land severance referred to in (1) and (2) above within which time period no appeal has been launched at the Ontario Municipal Board pursuant to the provisions of the Planning Act, and the by-law and consent having therefore become final and binding; and,
 - (4) The Owner and City mutually agree that the herein Option shall not be assigned; and,
 - (5) That in the event that the above conditions are not met, then this Option to Purchase shall be null and void; and,
 - (6) That as these conditions are for the benefit of the Owner, the Owner may, at any time on or before the closing date, at its option, by written notice to the City, waive the benefits of these conditions. Such notice shall be given to the City prior to the closing date; and,
- (c) That Corrine Martin and John Martin are solely responsible for all costs associated with the rezoning of their lands and the abutting lands of the City, including but not limited to the costs of preparing the appropriate sign and placing said sign on the subject property together with any and all fees and rezoning application costs; and,
- (d) That the City at its sole expense shall prepare and register a reference plan identifying the lands being purchased herein and detailing the limits of the seven lots to be created by the joint development of the City and the Martin's lands; and,

- (e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

7. That leave be granted to introduce the following Bills:

- (a) D-6 A By-law to Amend By-law No.89-253 regarding the Financing of Sam Lawrence Park.
- (b) D-7 A By-law to Authorize an Amending Agreement to an Extension Agreement for Payment of Realty Tax Arrears.
- (c) D-8 A By-Law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

8. That approval be given to SHAIR International Resource Centre and the Rwanda Solidarity Committee to use the City Hall Council Chambers and Forecourt on Monday, 1995 January 23rd at 7:00 o'clock p.m. to hold a Memorial Service and Candlelight Vigil during Rwanda Awareness Week. **ADDED.**

Respectfully Submitted,

**ALDERMAN B. CHARTERS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1995 January 3**

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Ken Harrop	I	Manager Community Services Culture & Recreation (H)		New Position Council Approved February 22, 1994	\$58,386.12 to \$68,816.28	Nov. 07/94
Mr. Ronald Henderson	I	Truck Driver (D-11)	Public Works	Replacing Mr. N. Ruggiero - promoted, Oct. 03/94	\$34,956.48	Nov. 21/94
Mr. Ron Kitchen	I	Truck Driver (D-11)	Public Works	Replacing Mr. K. Addison - promoted, Oct. 03/94	\$34,956.48	Nov. 21/94
Mr. William Moffatt	I	Manager of Arenas & Technical Services (H)	Culture & Recreation	New Position Council Approved February 22, 1994	\$58,386.12 to \$68,816.28	Nov. 07/94
Mr. Robert Parsik	I	Truck Driver (D-11)	Public Works	Replacing Mr. M. Holmes - promoted, Oct. 03/94	\$34,956.48	Nov. 21/94

1995 January 10

Appendix "A" referred to in Section 4 of the **SECOND** Report of the Finance and Administration Committee for 1995.

Prepared December 19/94

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Marlene Romanoaki	I	Realty Tax Clerk Typist (7-F)	Treasury	Replacing Ms. E. Arcas - promoted October 17/94	\$26,258.96 to \$28,542.80	Oct. 17/94
Ms. Lucy Smith	I	Parking Control Officer (13-I)	Traffic	Replacing Mr. H. Murray - terminated, Oct. 01/94	\$32,560.32 to \$37,396.32	Nov. 21/94

Prepared December 19/94

Status	
Internal	- I
External	- E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Luigi Amati	Lead Hand/Truck Driver	Public Works	Retired (Early)	29 years, 5 months	Dec. 30/94
Mr. Dave Billyard	General Foreman/Woman	Public Works	Retired (Early)	27 years, 5 months	Dec. 30/94
Mr. Alex Biro	Paralegal/Prosecutor	Law	Retired (Early)	32 years, 7 months	Dec. 30/94
Mr. Andy Boers	General Foreman/Woman	Public Works	Retired (Early)	26 years, 7 months	Dec. 30/94
Mr. Charlie Capostagno	Greenskeeper II	Public Works	Retired (Early)	22 years, 7 months	Dec. 30/94
Ms. Angie Cipriani	Property Officer	Property	Retired (Early)	17 years, 2 months	Nov. 30/94
Ms. Diana Coleman	Aquatic Supervisor	Culture & Recreation	Retired (Early)	21 years, 2 months	Dec. 30/94
Mr. Jim Crechiola	Signs Markings Specialist	Traffic	Retired (Early)	5 years, 9 months	Dec. 30/94
Mr. Robert Dawson	Dispatcher	Clerk's	Retired (Early)	14 years, 8 months	Dec. 30/94

Prepared December 19/94

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Ms. Gloria Dewey	Control Room Clerk	Parking Authority	Terminated	7 years, 1 month	Nov. 15/94
Mr. Domenico Dominicone	Rink Attendant I	Culture & Recreation	Retired (Early)	21 years, 6 months	Dec. 31/94
Mr. Archie Dorigo	Labourer	Public Works	Retired (Early)	20 years, 6 months	Dec. 30/94
Mr. Giovanna Dunbar	Cleaner	Property	Retired (Early)	33 years, 1 month	Dec. 30/94
Mr. Douglas Duncan	Superintendent-Streets	Public Works	Retired (Early)	30 years, 5 months	Dec. 30/94
Mr. George Geng	Labourer	Public Works	Retired (Early)	22 years, 4 months	Dec. 30/94
Mr. Frank Goodwin	Yard Attendant	Public Works	Retired (Early)	23 years, 6 months	Dec. 30/94
Ms. Janice Hitzroth	Taxation Analyst	Treasury	Retired (Early)	23 years, 8 months	Dec. 30/94

Prepared December 19/94

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

1995 January 10

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Eric Hobin	Greenskeeper II	Public Works	Retired (Early)	24 years, 8 months	Dec. 30/94
Mr. William Jacklin	Firefighter I	Fire	Retired	29 years, 11 months	Nov. 30/94
Mr. Robert Jackman	Co-Ordinator Seniors Services/Food Services	Culture & Recreation	Retired	22 years, 6 months	Dec. 31/94
Mr. Gary Kohler	Community Centre Supervisor	Culture & Recreation	Retired (Early)	34 years, 3 months	Dec. 30/94
Mr. Josip Kupina	Traffic Signal Specialist	Traffic	Retired (Early)	28 years, 7 months	Dec. 30/94
Mr. Rex Mansell	Building Inspector	Building	Retired (Early)	17 years	Dec. 30/94
Mr. John Manta	Traffic Construction Investigator	Traffic	Retired (Early)	34 years, 2 months	Dec. 30/94

Prepared December 19/94

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. John McKay	Foreman/Woman II	Public Works	Retired (Early)	25 years, 8 months	Dec. 30/94
Mr. Oswald Meloche	Traffic Signal Foreman/ Woman	Traffic	Retired (Early)	32 years, 4 months	Dec. 30/94
Mr. Joseph Monkley	Superintendent Operations Cemetery	Public Works	Retired (Early)	31 years, 8 months	Dec. 30/94
Mr. James Moyer	Traffic Signal Specialist	Traffic	Retired (Early)	26 years, 10 months	Dec. 30/94
Mr. Albert Poole	Markings Specialist	Traffic	Retired (Early)	22 years, 6 months	Dec. 30/94
Mr. Jim Price	Traffic Signal Specialist	Traffic	Retired (Early)	26 years, 3 months	Dec. 30/94
Mr. Som Rao	Building Engineer	Building	Retired (Early)	27 years, 5 months	Nov. 30/94
Mr. John Robinson	Co-Ordinator Housing Loans	Building	Retired	26 years, 6 months	Dec. 30/94

Prepared December 19/94

Glossary of Terms

Terminated - long term disability

- discharge

- downsizing

- redundant

Resigned - personal betterment

- personal reasons

1995 January 10

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Maurice Ross	Garbage Worker	Public Works	Retired	23 years, 6 months	Dec. 30/94
Mr. Donald Sindrey	Firefighter I	Fire	Retired	30 years, 2 months	Nov. 30/94
Mr. Robert Smith	Truck Driver	Public Works	Terminated	4 years, 6 months	Nov. 01/94
Mr. Barry Snetsinger	Director Marketing/Sales	H.E.C.F.I.	Terminated	4 years, 10 months	Nov. 25/94
Mr. Lloyd Staley	Smoking Control Officer	Clerk's	Retired (Early)	13 years, 6 months	Dec. 30/94
Ms. Leslie Taylor	Aquatic Supervisor	Culture & Recreation	Retired (Early)	29 years, 3 months	Dec. 31/94
Ms. Enid Turyk	Cleaner	Property	Retired (Early)	20 years, 3 months	Dec. 30/94
Mr. Angelo Unelli	Foreman/Woman II	Public Works	Retired (Early)	21 years, 9 months	Dec. 30/94
Ms. Lucy Vincent	Control Room Clerk	Parking Authority	Terminated	5 years, 7 months	Nov. 15/94

Prepared December 19/94

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

URBAN/MUNICIPAL
CAY ON HBL AOS
M21
1995

1995 January 31

URBAN MUNICIPAL

FEB 15 1995

GOVERNMENT DOCUMENTS

Minutes of Hamilton City Council
Tuesday, 1995 January 31
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor R. M. Morrow
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor R. M. Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Reverend Canon Desmond Fleming, St. Stephen on the Mount led Council in prayer.

PRESENTATIONS

A Certificate of Recognition was presented to Nick Eveley, President and Dawn Fell, Controller of Eveley Alignment and Spring Service Ltd. in recognition of the Company's contribution to the City of Hamilton.

Mr. Robert Rekiel, President of Walleye Game Productions Inc. presented Mayor R. Morrow with a "Great Walleye Tournament Board Game".

PROCLAMATION

Mayor R. Morrow proclaimed the week of February 5th to 11th, 1995 as "White Cane Week" in the City of Hamilton.

ADOPTION OF MINUTES

The minutes of the meeting held 1995 January 10 were adopted as circulated.

PETITION/CORRESPONDENCE

1. Petition dated 1994 December 13 Re: Violence Against Women.

Referred to the Police Services Board.

2. Application dated 1995 January 12 from Chambers Group, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for lands located at the rear of Nos. 1170-1180 Upper James Street, Hamilton, Ontario.

Received.

3. Application dated 1995 January 18 from Imperial Oil Limited c/o Greg Ford, North York, Ontario for a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations, for Block "1", and for a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified, for Block "2" for lands located at No. 1445 Main Street West, Hamilton, Ontario.

Received.

4. Application dated 1995 January 20 from B.Y.M. Construction Limited (668674 Ontario Limited) and Bergamot Holdings Limited, Hamilton, Ontario for a further modification to the established "G" (Neighbourhood Shopping Centre, etc.) District regulations, for lands located at No. 969 Upper Ottawa Street, Hamilton, Ontario.

Received.

5. Application dated 1995 January 25 from Gus and Mike Holdings Ltd., Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands located west of West Fifth Street between the proposed Red Hill Creek Expressway and Chester Avenue, Hamilton, Ontario.

Received.

6. Letter dated 1995 January 11 from J. J. Schatz, City Clerk Re: Objections to By-law No. 95-02 respecting property at Ainslie Wood Neighbourhood, Ainslie Wood East Neighbourhood, Ainslie Wood North Neighbourhood and Ainslie Wood West Neighbourhood.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee be considered in Committee of the Whole with Alderman Eisenberger in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - SECOND REPORT
--

Section 16 Re: No Parking Regulation - Chedmac Drive and Rice Avenue

It was moved by Alderman Anderson and seconded by Alderman D'Amico that Section 16 of the Second Report of the Transport and Environment Committee for 1995 be referred back.

CARRIED.

* * * * *

Section 47 Re: All-way Stop Control - Rowntree Drive and Rushdale Drive

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 47 of the Second Report of the Transport and Environment Committee for 1995 be referred back.
CARRIED.

PARKS AND RECREATION COMMITTEE - FOURTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE - FIFTH REPORT

Section 1 Re: Zoning Application 94-31 Re: 680 Van Wagner's Beach Road

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Kiss, Copps, Wilson, Agostino. -4. **CARRIED.**

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Section 3 Re: Intent to Designate - James Street South Stone Terrace

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Jackson owns a business in this area.

* * * * *

Section 4 Re: Cash-in-Lieu Policy - John Flynn of Sonke Holdings - 1004-1006 King Street West.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Caplan. -1.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - THIRD REPORT

FINANCE AND ADMINISTRATION COMMITTEE - FOURTH REPORT

NOMINATING COMMITTEE - SECOND REPORT

NOTICES OF MOTION

Alderman Agro gave notice that he would move at the next regular meeting of City Council the following motion:

"WHEREAS the City of Hamilton is surrounded by the Area Municipalities of Stoney Creek, Glanbrook, Ancaster, Dundas and Flamborough, and

WHEREAS the City of Hamilton has no room whatsoever in which to grow, and is virtually boxed-in by these five area municipalities, and

WHEREAS these five municipalities continue to grow and expand with the eventual result of creating 6 competing area municipalities for this region and that this divisiveness will not only be counterproductive, but will result in a serious dilution of the effectiveness of this region, and

WHEREAS it is critical that the Hamilton Area be allowed to grow and prosper in order to compete with other cities during these increasingly competitive times,

THEREFORE be it resolved that staff investigate the "feasibility of" and the "procedures involved" to annex both Glanbrook and Flamborough".

* * * * *

Alderman Merling gave notice that he would move at the next regular meeting of City Council the following motion:

"The arrangement with the Region of Hamilton-Wentworth for the City's planning service, as it currently exists, be discontinued.

That the City of Hamilton provide its own planning and related development services directly.

That staff, under the direction of the Chief Administrative Officer, submit the appropriate implementation plan for the direct service provision, minimizing any negative impact on the current employees and the budget of both corporations, for the March meeting of the Planning and Development Committee."

* * * * *

Mayor R. Morrow gave notice that he would move at a future meeting of City Council a motion respecting downtown redevelopment.

* * * * *

Mayor R. Morrow gave notice that he would move at a future meeting of City Council a motion respecting a consolidated Regional taxbase.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

ACTING MAYOR FOR THE MONTH OF FEBRUARY, 1995

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman B. Charters be Acting Mayor for the Month of February, 1995.

CARRIED.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

BILLS

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills be read a first time:

A-8, A-9, A-10, A-11, A-12, A-13, A-14.

C-10, C-11.

D-9, D-10, D-11, D-12.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the following Bills, with Alderman Eisenberger in the chair. (second reading).

A-8, A-9, A-10, A-11, A-12, A-13, A-14.

C-10, C-11.

D-9, D-10, D-11, D-12.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the following Bills, be adopted:

A-8, A-9, A-10, A-11, A-12, A-13, A-14.

C-10, C-11.

D-9, D-10, D-11, D-12.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-8, A-9, A-10, A-11, A-12, A-13, A-14.

C-10, C-11.

D-9, D-10, D-11, D-12.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:45 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz, City Clerk
1995 January 31
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SECOND** Report for 1995 and respectfully recommends:

1. That the stopping-up, closing and sale of the portion of Gerrard Street from Sherman Avenue North, to 100.489m westerly be approved, subject to the following conditions:
 - (a) That the Commissioner of Transportation/Environmental Services be directed to prepare a By-law to stop up, close and sell the road allowance of Gerrard Street from Sherman Avenue North, to 100.489m westerly; and,
 - (b) That the Commissioner of Transportation/Environmental Services be directed to prepare and register a reference plan under the Registry Act, to delineate the manner in which the proposed closed road allowance is to be sold; and,
 - (c) That the Commissioner of Transportation/Environmental Services be directed to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Act; and,
 - (d) That the City Clerk be directed to publish a notice of City Council's intention to pass the By-law, pursuant to Section 301 of the Municipal Act, R.S.O. 1980; and,
 - (e) That the City of Hamilton provide a 6m easement to the Region for the existing 675mm and 375mm sewers and the existing 150mm watermain in the proposed closure area; and,
 - (f) That the City of Hamilton provide a 2.0m easement to Union Gas for their underground plant on the north and south sides of the closure area; and,
 - (g) That the City of Hamilton provide a 3.0m easement to Bell Canada for their existing plant on the north side of the closure area.

3.
 - (a) That, as the alterations to pedestrian crosswalks in the Westdale Village B.I.A. are to be implemented on a six-month trial basis, asphalt be substituted for the proposed concrete work and that the estimated expenditure of \$35,469. be reduced to \$21,369. to reflect the change in material costs; and,
 - (b) That consideration be given in the 1995 Current Budget deliberations for funding the expenditure of \$21,369. for the implementation of pedestrian crosswalk alterations in the Westdale Village B.I.A. recognizing that \$15,012. of this sum will be required as an ongoing allocation to future current budgets for the horticultural maintenance which will result.
4. That a "No Parking" regulation be implemented on the north and east sides of Rexford Drive commencing at a point 94 feet east of the east curb line of Rexford Drive adjacent to No. 631 Rexford Drive and extending to a point 108 feet north of the north curb line of Rexford Drive and that the City Traffic By-law 89-72 be amended accordingly.
5.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Ray Street South commencing at a point 68 feet north of Main Street West and extending to George Street; and,
 - (b) That the existing "No Parking" regulation on the east side of Ray Street commencing at Main Street West and extending to a point 68 feet northerly therefrom, be replaced with a "No Stopping" regulation; and,
 - (c) That the City Traffic By-law 89-72 be amended accordingly; and,
 - (d) That the Director of Traffic Services be authorized to issue upon request, one parking permit to each of the first seven eligible applicants (maximum of one per household) abutting Ray Street South between Main Street West and George Street.
6. That a "No Parking, Monday to Friday" regulation be implemented on the east side of Independence Drive commencing at a point 104 feet north of Adler Avenue and extending to a point 38 feet northerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.

7. That a "Wheelchair Loading Zone, 7:00 a.m. to 9:00 p.m., seven days a week" regulation be implemented on the south side of Dunsmure Road commencing at a point 25 feet east of St. Clair Avenue and extending to a point 26 feet easterly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
8. That the Director of Traffic Services be authorized to issue a time limit exemption permit to Mr. Frank Mantioni, No. 2108 - 40 Oxford Street North.
9. That the existing "Permit Parking" regulation on the east side of Paling Avenue commencing at a point 93 feet north of Vansitmart Avenue and extending to a point 22 feet northerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.
10. (a) That a "Permit Parking" regulation be implemented on the south side of Mars Avenue commencing at a point 168 feet east of Douglas Street and extending to a point 19 feet easterly therefrom and that the City Traffic By-law 89-72 be amended accordingly; and,

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Walker, No. 52 Mars Avenue.
11. (a) That a "Permit Parking" regulation be implemented on the west side of Paling Avenue commencing at a point 601 feet south of Barton Street East and extending to a point 28 feet southerly therefrom, and on the east side of the street commencing at a point 630 south of Barton Street East and extending to a point 20 feet southerly therefrom; and that the City Traffic By-law 89-72 be amended accordingly; and,

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Elizabeth Evan, 283 Paling Avenue.
12. (a) That the existing Commercial Boulevard Parking Agreement registered as Instrument No. 230560 C.D. to the property at No. 113 - 119 Park Street North be discharged at the property owner's expense and subject to:
 - i. the applicant or his agent barricading the boulevard parking area in a manner satisfactory to the Director of Traffic Services and executing a Paving Agreement or restoring the boulevard with sod; and,
 - ii. the removal of a portion of the existing vehicle approach ramp; and,

- (b) That the City Solicitor be authorized and directed to prepare the necessary documentation in relation to the discharge of this agreement; and
 - (c) That the Mayor and City Clerk be authorized and directed to sign the necessary documentation in relation to the discharge of this agreement.
13. That a "No Parking" regulation be implemented on the north and west sides of Highridge Avenue between the north and west property lines of No. 238 Highridge Avenue and that the City Traffic By-law 89-72 be amended accordingly.
14. That the existing "Wheelchair Loading Zone, 9:00 a.m. to 11:00 p.m., seven days a week" regulation on the west side of East 23rd Street which commences at a point 250 feet south of Concession Street and extends to a point 26 feet southerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.
15. That the existing "No Parking, 8:00 a.m. to 5:30 p.m., Monday to Friday" regulation on the north side of Carling Street which commences 153 feet east of Paradise Road South and extends to a point 113 feet easterly therefrom be shortened such that the regulation commences at a point 153 feet east of Paradise Road South and extends to a point 93 feet easterly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
16. That a "No Parking" regulation be implemented on both sides of Chedmac Drive commencing at Rice Avenue and extending to the northerly end of Chedmac Drive and that the City Traffic By-law 89-72 be amended accordingly. **REFERRED BACK.**
17. (a) That the existing Commercial Boulevard Parking Agreement registered as Instrument No. 179381 C.D. to the property at No. 89 - 91 Vine Street be discharged at the property owner's expense and subject to:
- i. the applicant or his agent restoring the boulevard with sod to a condition satisfactory to the Director of Traffic Services or barricading the boulevard to prevent parking from occurring and executing a pavement agreement; and
- (b) That the City Solicitor be authorized and directed to prepare the necessary documentation in relation to the discharge of this agreement; and,

- (c) That the Mayor and City Clerk be authorized and directed to sign the necessary documentation in relation to the discharge of this agreement in a form satisfactory to the City Solicitor.
18. (a) That an "Alternate Side Parking" regulation be implemented on Leona Court between Rainbow Drive and the southerly end of the court such that parking is prohibited:
- i. on the west side of the street during the months of December, January, February and March and from the 1st to the 15th of April, May, June, July, August, September, October and November; and,
 - ii. on the east side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and,
- (b) That the City Traffic By-law 89-72 be amended accordingly.
19. (a) That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Burton Street between Douglas Street and Cheever Street be replaced with a "Permit Parking" regulation and that the City Traffic By-law 89-72 be amended accordingly; and,
- (b) That the Director of Traffic Services be authorized to issue two parking permits per residence to Nos. 112, 114, 118 and 120 Burton Street and one parking permit per residence to Nos. 110, 116 Burton Street and No. 105 Cheever Street and any additional permits (to a maximum of twelve) on a first come first served basis.
20. That a "Wheelchair Loading Zone, 10:00 a.m. to 8:00 p.m., Sundays" regulation be implemented on the south side of Dorval Street commencing at a point 30 feet west of Upper Sherman Avenue and extending to a point 38 feet westerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
21. (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Bonaparte Way commencing at a point 124 east of the east curb line of Brigade Drive and extending to 80 feet easterly; and,

- (b) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Bonaparte Way commencing at a point 111 feet east of the east curb line of Corsica Court and extending 31 feet easterly; and,
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
- 22.
 - (a) That a "Permit Parking" regulation be implemented on the south side of Cumberland Avenue commencing at a point 145 feet west of the extended west curb line of Norway Avenue and extending to a point 21 feet westerly therefrom and that the City Traffic By-law 89-72 be amended accordingly; and,
 - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Midjord, No. 295 Cumberland Avenue.
- 23. That the three existing one hour parking meters on the west side of Oak Avenue, immediately south of Barton Street East and the existing "No Parking" regulation on the east side of Oak Avenue which commences at Barton Street East and extends to a point 161 feet southerly therefrom, be replaced with an "Alternate Side Parking" regulation and that the City Traffic By-law 89-72 be amended accordingly.
- 24. That a "No Parking" regulation be implemented on the west side of Berkindale Drive between Bellamy Road and Rox Avenue and that the City Traffic By-law 89-72 be amended accordingly.
- 25. That the Director of Traffic Services be authorized to issue a time limit exemption permit to Mr. Ken Hazell, No. 1006 - 75 Bold Street.
- 26. That a "Taxi Stand, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the west side of East 19th Street commencing at a point 176 feet south of Concession Street and extending 50 feet southerly and that the City Traffic By-law 89-72 be amended accordingly.
- 27. That a "No Parking, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the east side of Hughson Street North commencing at a point 53 feet south of Murray Street and extending to a point 21 feet southerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.

28. (a) That a "Permit Parking" regulation be implemented on the west side of Caroline Street North commencing at a point 60 feet north of the southerly end of the street (Central Neighbourhood Park) and extending to a point 20 feet northerly therefrom and that the City Traffic By-law 89-72 be amended accordingly; and,

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Mary Rudaniecki, No. 183 Caroline Street North.
29. That the existing "Wheelchair Loading Zone, 8:00 a.m. to 12:00 a.m. (midnight), seven days a week" regulation on the west side of Cheever Street which commences at a point 245 feet south of Birge Street and extends to a point 20 feet southerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.
30. That the existing "Permit Parking" regulation on the south side of Aikman Avenue commencing at a point 180 feet east of Wentworth Street South and extending to a point 31 feet easterly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.
31. That the existing "No Parking" regulation on the west side of Kings Forest Drive which commences at Nova Drive and extends to a point 88 feet northerly therefrom be shortened such that the regulation commences at Nova Drive and extends to a point 68 feet northerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
32. That a "Taxi Stand, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the east side of Magnolia Drive commencing at a point 52 feet north of the north curb line of Leclair Street and extending 20 feet northerly and that the City Traffic By-law 89-72 be amended accordingly.
33. (a) That the existing "30 Minute Parking Time Limit, 24 hours a day, seven days a week" regulation on the west side of Aurora Street which commences at a point 59 feet north of Charlton Avenue East and extends to a point 20 feet northerly therefrom be rescinded and replaced with the existing "Permit Parking" regulation which presently controls the remainder of the block; and

(b) That the City Traffic By-law 89-72 be amended accordingly; and

(c) That the Director of Traffic Services be authorized to issue one parking permit upon request to Mr. Pudjonas, No. 225 Charlton Avenue East.

34. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., seven days a week" regulation on the west side of East 27th Street which commences at a point 136 feet south of Fennell Avenue and extends to the extended south curb line of Mackenzie Road be replaced by a "Three Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation and that the City Traffic By-law 89-72 be amended accordingly.
35. That southbound traffic on Kings Forest Drive be required to stop for eastbound and westbound traffic on Nova Drive and that the City Traffic By-law 89-72 be amended accordingly.
36. That in accordance with the request by the Hamilton Street Railway Company the following bus stop be relocated:

Route #23 Upper Gage

- Delete - Westbound - Eaglewood Drive, north side, 33 feet east of the centre line of Eleanor Avenue (N/S); and,
- Add - Northbound - Eva Street, east side, 21 feet south of Eaglewood Drive (N/S).

37. That in accordance with the request by the Hamilton Street Railway Company the following bus stop be relocated:

Route #45 Limeridge

- Delete - Eastbound - Limeridge Road East, south side, 617 feet east of Upper Wentworth Street (M/B); and
- Add - Eastbound - Limeridge Road East, south side, 276 feet west of the projected west curb line of Rockingham Drive (M/B).

38. That in accordance with the request by the Hamilton Street Railway Company the following bus stop be relocated:

Route #3 Cannon

- Delete - Westbound - Cannon Street, north side, 75 feet east of Balsam Avenue North (N/S); and

Add - Westbound - Cannon Street, north side, 115 feet west of Balsam Avenue North (F/S).

39. That a purchase order be issued to Fortran Traffic Systems Ltd., Scarborough Ontario, for the supply and delivery of traffic signal controllers as and when required in 1995 by the Traffic Department, at the unit prices noted below, being the lowest bid received for items (a), (b), (d) and (e), in accordance with the specifications issued by Purchasing and Vendor's tender, and to be financed through Traffic Signals Materials Account No. 56152-75999, to a maximum expenditure of \$200,000. exclusive of taxes.

(a) 36 circuit fully actuated solid state controllers	\$6,879. each
(b) 24 circuit fully actuated solid state controllers	\$5,983. each
(c) 12 circuit fully actuated solid state controllers	\$5,690. each
(d) communications modules	\$ 579. each
(e) portable data transfer units	\$2,000. each

All prices noted are before the addition of applicable taxes.

40. (a) That, in accordance with Section 15(1) of the Police Services Act, 1990, the following persons be appointed as Parking Control Officers:

Randy Bonany
Clive Reynolds
Ted Arthurs; and,

- (b) That the following appointments as Parking Control Officers be repealed:

William London
Charles Corbin
Roy Rutherford

41. (a) That the Kennedy West Neighbourhood be designated as a Neighbourhood Watch Area; and,
- (b) That Neighbourhood Watch signs for the Kennedy West Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and,

(c) That the necessary funds be charged to Account No. CH55301 75030 (Neighbourhood Watch Program).

42. That the proposed narrowing of Munn Street between Upper Sherman Avenue and East 36th Street and East 36th Street between Queensdale Avenue and Munn Street from the existing 12.2m to 8.5m be advertised by the City Clerk in accordance with Section 300 of the Municipal Act and the necessary alteration By-laws be prepared by the Director of Public Works.

43. (a) That the following City lands be incorporated into the streets in order to complete the final street width or to provide access to newly registered subdivision developments:

Embassy Drive	Block 51	Plan 62M-652
	Block 34	Plan 62M-745
Artistic Boulevard	Block 9	Plan 62M-763
Appleblossom Drive	Parts 3 and 4	Plan 62R-12671
Dartnall Road	Parts 1 and 5	Plan 62R-9687
	Part 1	Plan 62R-9651; and,

(b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be enacted by City Council; and,

(c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.

44. That consideration be given in the 1995 Current Budget deliberations for the inclusion of an additional \$50,000. into the Public Works Department, Sanitation Division Current Budget to provide residential curbside garbage collection for all statutory holidays, recognizing that Christmas Day and Boxing Day are not collected under our existing format.

45. (a) That the Director of Public Works be instructed to remove the snow windrows from the entrances of assumed alleys to facilitate their use during winter months, recognizing that this new service is estimated to cost \$62,550., and in 1995, based upon the winter conditions experienced to date, no funding increase will be required and should this service increase result in a pending overdraft in any future years, this matter will be returned to the Transport and Environment Committee for funding consideration, and;
- (b) That the Director of Public Works continue with the current practice of compacting snow in assumed alleys by the use of heavy trucks driving down the alley, not plowing, and with the addition of salt/sand mixture during ice conditions, recognizing that this work will take place in a schedule that follows winter snow removal priorities of mountain accesses, regional roads, arterial roads, bus routes, bus stops, residential roads, crosswalks, schools, etc.
46. That approval be given to the Commissioner of Transportation/Environmental Services to proceed with the tendering process for the 1995 Roadway and Sidewalk Reconstruction Program attached hereto as Appendix "A" (Project No. 85.0) up to a gross amount of \$4,000,000. (net City cost of \$3,000,000. after Ministry of Transportation Subsidy).
47. That all-way stop control be implemented at the intersection of Rowntree Drive and Rushdale Drive and that the City Traffic By-law 89-72 be amended accordingly.
REFERRED BACK.
48. That three-way stop control be implemented at the intersection of Caroga Court and Morgan Road and that the City Traffic By-law 89-72 be amended accordingly.
49. That the northbound and southbound stop signs at the intersection of Fairway Drive and St. Andrews Drive be removed and that the City Traffic By-law 89-72 be amended accordingly.
50. That leave be granted to introduce the following Bills:
- (a) A-8 A By-law to Alter Ferguson Avenue North between Cannon Street East and Barton Street East by Narrowing the Pavement
- (b) A-9 A By-law to Incorporate City Land Designated as Block 51 on Plan 62M-652 and Block 34 on Plan 62M-745 into Embassy Drive

1995 January 31

- (c) A-10 A By-law to Incorporate City Land Designated as Block 9 on Plan 62M-763 into Artistic Boulevard
- (d) A-11 A By-law to Incorporate City Land Designated as Parts 3 and 4, Plan 62R-12671 being part of Block 30, Plan 62M-710 into Appleblossom Drive
- (e) A-12 A By-law to Incorporate City Land Designated as Parts 1 and 5, Plan 62R-9687 and Part 1, Plan 62R-9651 into Dartnall Road
- (f) A-13 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (g) A-14 A By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

Kevin C. Christenson, Secretary

1995 January 23

CITY OF EDMONTON
1995 ROAD AND SIDEWALK IMPROVEMENT PROGRAM

A. Roads and Abutting Sidewalks

Charles Street	Bold	Hurst	road reconstruction-sidewalk reconstruction-both sides in conjunction with Regional sewer and watermain works	60,600
East 15th Street	Brucedale Pennell	Queensdale Howe	road reconstruction-sidewalk reconstruction-both sides in conjunction with Regional watermain works road reconstruction-sidewalk reconstruction & repair- both sides in conjunction with Regional watermain works	167,200 235,600
East 16th Street	Pennell	Howe	road reconstruction-sidewalk reconstruction & repair- both sides in conjunction with Regional watermain works	290,300
East 36th Street	Pennell Queensdale Queensdale Munn Crockett	Mohawk Brucedale Munn Crockett	road reconstruction-sidewalk reconstruction-both sides in conjunction with Regional watermain works road reconstruction-sidewalk reconstruction-both sides road reconstruction & narrowing-sidewalk reconstruction- both sides regrade and surface treat road-sidewalk reconstruction and repair-both sides	752,000 214,300 94,500 210,700

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<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
East 44th Street	Queensdale	Pennell	road reconstruction-sidewalk reconstruction & repair - both sides in conjunction with Regional watermain works	\$471,800
Fay Avenue	Organ	Broker	road reconstruction-sidewalk reconstruction & repair-both sides in conjunction with Regional sewer and watermain works	120,300
King Street (South leg)	John	Hughson	road reconstruction-paving stones-sidewalk repair-south side in conjunction with Regional sewer and watermain works	264,700
King William Street	Catharine	Mary	road resurface-sidewalk repairs-both sides in conjunction with Regional watermain works	786,300
	Mary	Victoria	road reconstruction-sidewalk reconstruction & repair-both sides in conjunction with Regional sewer and watermain works	
MacNab Street South	Bold	Murat	road reconstruction-sidewalk reconstruction-both sides	78,400
Munn Street	East 36th	Upper Sherman	road reconstruction and narrowing-sidewalk reconstruction-both sides	525,700
Queensdale Avenue	Upper Gage	East 36th	road reconstruction - sidewalk repair & reconstruction - both sides in conjunction with Regional sewer works.	337,800
Roxborough Avenue	Strathesmo	Tolton	road resurface-sidewalk repairs-both sides in conjunction with Regional sewer works	221,500

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Tolton Avenue	Barton Melvin Britannia Roxborough Dunsmuir	Melvin Britannia Roxborough Dunsmuir	road overlay-sidewalk repairs-both sides road reconstruction-sidewalk reconstruction both sides road reconstruction only-no sidewalk work road resurface-sidewalk repairs-both sides	\$123,200 131,700 110,600 64,600
TOTAL SECTION "A"				\$5,259,800

2. Sidewalks on Regional Roads

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Barton Street	Strathearn	Parkdale	both sides-reconstruction and repair	\$173,300
Burlington Street East	Sherman	Wilcox	both sides-repair	30,700
Gage Avenue North	Burlington	Beach	both sides-reconstruction and repair	111,600
King Street East	James	Mary	both sides-paving stone repair	27,300
Ottawa Street North	Main	Beach	both sides-repair	23,800
Parkdale Avenue South	Main King	Queenston Queenston	both sides-reconstruction and repair west side - reconstruction	49,500 96,200
Parkdale Avenue North	Main	Barton	both sides-reconstruction and repair	301,200
Upper Wellington St	Mohawk	Jay	both sides-reconstruction and repair	121,800
TOTAL SECTION "B"				\$935,200

<u>C. Sidewalks Only</u>			
<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>
Caprice Court	Montcalm	West end	reconstruction and repair-both sides
East 23rd Street	MacLennan	Franklin	reconstruction and repair-both sides
East 41st Street	Sunninghill	Brucevale	reconstruction and repair-both sides
Merle Court	Rendell	East end	reconstruction and repair-both sides
			<u>ESTIMATE</u>
			\$ 29,900
			141,900
			216,900
			<u>48,300</u>
TOTAL SECTION "C"			\$437,000

<u>D. Miscellaneous Projects</u>			
<u>DESCRIPTION</u>			<u>ESTIMATE</u>
Tree planting in conjunction with roadworks			\$ 92,000
Catchbasin and Drain Connections			50,000
-various locations in conjunction with Regional Local Improvement sewer Projects			<u>441,000</u>
Streetlighting-various locations-modifications and upgrades generally in conjunction			TOTAL SECTION "D"
with road works			\$583,000
			<u>GRAND TOTAL</u>
			\$7,235,000

<u>E. Enhanced Funding Projects</u>			
<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>
Bendamaere Avenue	Garth	Columbia	road resurface-sidewalk repairs-both sides
			in conjunction with Regional watermain works
Carwyn Crescent	Purvis	Yates	road reconstruction-sidewalk reconstruction & repair-
			both sides in conjunction with Regional watermain works
			<u>ESTIMATE</u>
			\$416,100
			200,800

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Columbia Drive	Bendameri	North End	road resurface-sidewalk reconstruction and repairs-both sides in conjunction with Regional watermain works	284,200
Leslie Avenue	Upper Paradise	West 23rd	road resurface-sidewalk repairs-both sides in conjunction with Regional watermain works	381,200
Lower Morning Road	Purvis	Carwyn	road reconstruction-sidewalk reconstruction & repair-both sides in conjunction with Regional watermain works	227,600
McIlroy Road	Upper James	Dodson	road reconstruction-sidewalk reconstruction-both sides in conjunction with Regional watermain works	593,500
Yates Drive	Purvis	South End	road reconstruction - sidewalk reconstruction - both sides	167,800
TOTAL SECTION B				\$2,000,000

P. SUPPLEMENTARY LIST

Streets may be done in the order listed if residual funds are available.

STREET	FROM	TO	COMMENTS	ESTIMATE
East 16th Street	Pennell Brucedale	Brucedale Queensdale	road reconstruction-sidewalk reconstruction-both sides road resurface-sidewalk reconstruction-both sides	\$163,700 171,700
Endfield Avenue	Brentwood	Kingslea	road reconstruction-sidewalk reconstruction and repair-both sides in conjunction with Regional sewer works	219,300
Murat Place	MacRab	Park	road reconstruction-sidewalk reconstruction and repair-south side	119,400
Balmoral Avenue South	King	Justine road	reconstruction-sidewalk repairs-both sides in conjunction with Regional watermain works	393,000
East 18th Street	Concession	Pennell	road reconstruction-sidewalk reconstruction-both sides in conjunction with Regional sewer works	836,000
Organ Crescent	Pennell	Upper Kenilworth	road reconstruction-sidewalk reconstruction and repair-both sides in conjunction with Regional watermain works	

TOTAL SECTION -P- \$2,366,100

95 of 13

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FOURTH** Report for 1995 and respectfully recommends:

1. That staff be authorized to withdraw the application made under the Provincial Government's JobsOntario Community Action Program for funding for an Economic Feasibility Study for the West Harbourfront Development Study in the amount of \$100,000.
2. That the President of the T. B. McQuesten Steering Committee or his designate be appointed as a member of the West Harbourfront Development Study Steering Committee.
3.
 - (a) That the Hamilton Children's Museum participate in the Gage Park skating day being organized by the Friends of Gage Park; and
 - (b) That the Hamilton Children's Museum, in cooperation with the Friends of the Hamilton Children's Museum, offer an open house at the Museum, waiving admission fees for the day of 1995 February 4 (or fall back date 1995 February 18th due to weather conditions).
4. That the City, through the Department of Culture and Recreation, apply for a Designated Property Grant administered through LACAC (Planning and Development Department) in the amount of \$3,000. for the reconstruction of the rusticated doors on the Dovecote during the 1995 Dundurn Castle restoration project.
5. That the City, through the Department of Culture and Recreation, apply for a grant from the Federal Government Access to Archaeology Programme (Public Awareness Component) for up to \$20,000. to increase the scope of the public archeology component scheduled for the next phase of restoration on Dundurn Castle.
6.
 - (a) That the Terms of Reference for a Planning Study for the Hamilton Military Museum as outlined in Appendix "A" attached hereto, be approved; and,

- (b) That staff carry out the necessary steps to implement and complete this internal project.
- 7. (a) That a sub-committee of the Hamilton Historical Board be formed for the specific purpose of fundraising for the restoration and long term maintenance of the World War I German 77mm Field Gun; and,
 - (b) That this Field Gun be adopted as a "Hamilton Remembers" project whereby the gun would be unveiled during Hamilton Sesquicentennial, as a war memorial.
- 8. (a) That the City of Hamilton renew a Licence Agreement with Ontario Hydro for the use of lands described as Part 1, Plan 62R-10869 for a pedestrian walkway between Thorner Park and Limeridge Mall effective 1995 April 1; and,
 - (b) That the annual charge of \$500. be charged to Account No. CH56304 62102 (Hydro - General Park Maintenance); and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute a Licence Agreement in a form satisfactory to the City Solicitor.
- 9. That approval be granted to issue the following complimentary prizes for the Indoor Golf fundraising event sponsored by the Hamilton and District Volunteer Centre:
 - (a) One Family Pass redeemable at any City-operated Museum (value \$15.); and,
 - (b) One Family Pass to a City-operated Recreation Centre (value \$70.).
- 10. That, in order to correctly reflect a term of two years, Section 2, Sub-Section (a) of the First Report of the Parks and Recreation Committee, approved by City Council at its meeting held 1994 December 13, be amended to read as follows:
 - "(a) That approval be granted to enter into an agreement with Automatic Mart Corporation (Fred Ernst, Owner and President) for a period of two years beginning 1995 January 1, and scheduled to terminate 1996 December 31, for the supply, installation and service of Sports Card Vending Machines at selected City Arenas and Recreation Centres; and,"
- 11. (a) That approval be given for a one time donation of \$1,987.62 to the newly formed Hamilton District Sledge Hockey Association from the Special Needs Section of the Department of Culture and Recreation; and,

- (b) That all registration fees for sledge hockey beginning January 1995 go directly to the Sledge Hockey Association.
-
- 12.
 - (a) That the position of Coordinator of Senior Services & Food Services, Salary Schedule K, be deleted from the Culture and Recreation Department's complement as a result of the retirement of the incumbent; and,
 - (b) That the position of Senior Citizens Centre Supervisor, Salary Schedule M, be deleted from the Department's complement effective 1994 December 31; and,
 - (c) That the existing complement of Community Centre Supervisor positions, salary Schedule K2, be increased by one effective 1995 January 1; and,
 - (d) That the resulting savings be incorporated into the Culture and Recreation Department's 1995 Operating Budget.
 - 13.
 - (a) That as per the request for non-paid ice time submitted by the Technical Development Committee of the Hamilton Minor Hockey Council, ice time be allotted for a total of 24 hours in order to conduct three Initiation to Body Contact Clinics during the months of May, June and July; and,
 - (b) That this ice be awarded at the subsidized rate of \$35./hr.; and,
 - (c) That in accordance with Section 11 of the 17th Report of the Parks and Recreation Committee for 1993 approved by City Council on 1993 October 26, prior to the utilization of a Civic Arena, an audited Financial Statement from the Technical Development Committee be received by the City no later than 1995 February 28, which, upon verification of financial hardship, the Culture and Recreation Department report back to Committee recommending appropriateness of direct subsidization or the provision of these hours at no cost; and,
 - (d) That staff report on and recommend a process for all future requests for subsidized or non-paid ice time for consideration.
 - 14.
 - (a) That the Geotechnical Investigation and Condition Survey of 15 City tennis facilities completed by Trow Consulting Engineers Ltd. as outlined in Appendix "B" attached hereto, be received; and,

- (b) That the necessary Capital Works set out in the chart attached hereto as Appendix "B", at an estimated cost of \$1,173,000., be incorporated within the Draft Culture and Recreation 1995 - 2004 Capital Budget Submission for consideration by Parks and Recreation Committee and City Council; and,
 - (c) That this Budget Submission include an amount of \$15,000. for a colour coating to be applied to the King's Forest tennis facility which due to its recent refurbishment did not form a part of this Study; and,
 - (d) That Appendix "C" attached hereto be accepted as the proposed remediation schedule representing an amalgamation of the Geotechnical Investigation and Condition Survey and staff's recommendation for redevelopment based upon programming requirements; and,
 - (e) That this Budget Submission be reviewed annually in order to accommodate any repairs required ahead of schedule, or delayed due to the level of observed deterioration.
15. That the off season ice schedule allocation plan for the Mountain Skating Centre, scheduled to begin 1995 April 24 and terminated 1995 October 8, attached hereto as Appendix "D", be approved.
16. That, in order to inform the public of the proposed reconstruction of the walkways in Gore Park in 1995, the Public Works Department be authorized to implement a public input/awareness programme, to be located in the area west of the Queen Victoria Statue and to include the installation of a sign, as per the text contained in Appendix "E" and a sample panel of the architectural patterned concrete to match the existing walkway on James Street South.
17. (a) That the existing lease between the City of Hamilton and R & J Duckworth be terminated by the City upon 120 days written notification effective after Council approval and that demolition of the structure located at 130 Lawrence Road take place upon the City receiving vacant possession and costs for the demolition be charged to Account No. CH5X306 00201 (Reserve for Parklands - Related Property Costs); and,
- (b) That the City Solicitor be authorized and directed to prepare the necessary Notice of Termination of the Lease.

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18. (a) That approval be given for the design submitted by the Native Indian/Inuit Photographers' Association, drawn by artist Broderick Hill, to be the subject of the mural to be erected on James Street South immediately south of the Hunter Street underpass; and,

(b) That the Native Indian/Inuit Photographers' Association be asked to provide further details to the Arts Co-Ordinator on the technical translation of the proposed design onto the wall with regard to materials to be used and environmental considerations.
19. That the City of Hamilton formally withdraw from "The Ontario Sport Legends Hall of Fame and Museum" project and that the current "Ontario Sport Legends Hall of Fame and Museum Board of Directors", be disbanded.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1995 January 24

THE HAMILTON MILITARY MUSEUM**STATEMENT OF PURPOSE**

The Hamilton Military Museum has been established to collect, preserve, research, house, exhibit and interpret, according to museum standards, all those objects which best serve to illustrate the military history and traditions of Canada from the Loyalist period to ca.1972, using local examples wherever possible. It will promote public awareness of the collection through exhibitions, tours, programmes and written documentation, however, the building and objects on display will never be at risk as preservation will always be the first concern.

EARLY HISTORY

The Hamilton Military Museum had an unsteady "birth" as a City of Hamilton Museum. It was conceived as a solution to the threatened loss of a Dundurn Castle building rather than as a project of itself: "Our Military Museum all began because we had in our park an unused early estate house built on a battery location of the war of 1812. It was to be over-run by a road widening scheme, so beloved of traffic engineers these days. We felt it important to save the house and its association and therefore had to conceive some purpose to justify the expense of moving and the renovations involved" (Moogk to Brock, March 2, 1977).

Funds were secured to move and service the building, although money to recreate the battery itself was cut from the final budget. Little time or funds were set aside for museum functions. There was no funding provided for staff. They were hired through Dundurn Castle's budget.

There was also no collection. Appeals were made to borrow artifacts from the Canadian War Museum, personal collections and from the local regimental collections. The Museum finally opened on November 14, 1976, with mostly borrowed display items.

STAFF

- 1976 - Part-time Curator
Full time Caretaker who was to do: cleaning, assist Curator with care of collection, provide security, take tickets and book tours = 1.5 total FTEs
- 1979 - Curator became full time and Caretaker part-time;
Part-time General Assistant (Interpreter) for Curator's days off (8 hours per week) = .24FTE+ (1.74 total FTEs)
- 1984 - Part-time Interpreters for educational programmes 520 hours per year = .27FTE+ (2.01 total FTEs)

- 1987 - Full time Curatorial Assistant to work with collection, educational programmes and Interpretive duties = 1.0FTE+ (3.01 total FTEs); days off in summer season covered by existing Interpreter hours
- 1990 - Caretaker full time = .5FTE+ 3.51 total FTEs
- 1991 - Interpreter to cover Curatorial Assistant's days off during off season and cover desk remaining 3 days per week during summer season = .35FTE+ (3.86 total FTEs)
- 1992 - Interpreter hours reduced eliminating coverage for Curator's days off during off season (334+ hours) but adjustment for pay equity gained 185 hours = .08FTE- (3.78 total FTEs).

Year	Visitor Staff (excluding Caretaker)	Visitors	Staff:Visitor Ratio
1977	0.5	5,565+	1: 5,565
1984	1.51	32,404	1:21,460
1987	2.51	27,555	1:10,978
1990	2.51	29,956	1:11,935
1993	2.78	26,594	1: 9,566

Interpreters are shared between the Hamilton Military Museum and Dundurn Castle thus providing more hours for existing staff and stretching out the allotments of hours for the Museums. Other staff, such as the Caretaker, work co-operatively with Dundurn Castle to provide staff where and when needed eg. covering vacations.

VISITORS

A 1980 report for the Hamilton Historical Board set an ideal target figure for each City museum to strive to reach in terms of visitors. The Hamilton Military Museum's was set at 12,000. Although attendance has dropped over the last several years the current attendance figures are more than double this suggested number.

1976 -	191 + guests (November 15 - December 31 only)
1977 -	5,565 + guests
1978 -	3,803 + guests
1979 -	6,839 + guests
1980 -	6,080
1981 -	9,956
1982 -	37,116
1983 -	32,372
1984 -	32,404

1985	-	25,621 (closed two months for sprinkler installation)
1986	-	28,816
1987	-	28,394
1988	-	27,985
1989	-	31,470
1990	-	29,956
1991	-	27,154
1992	-	28,881
1993	-	26,594

CURRENT FACILITY

The Museum is housed in Battery Lodge built ca.1834 as the gate keeper's lodge to Dundurn Castle. It consists of an original ground floor and a new basement constructed in 1976 when the building was moved.

The interior dimensions of the building are approximately 30.5' x 34' plus a bay window, (approximately 1,095 sq ft per floor) or 2,190 sq ft for all functions.

It has good air conditioning, heating, lighting and security.

The Museum shares some equipment with nearby Dundurn Castle.

A designated building under the Ontario Heritage Act as part of the National Historic Dundurn Castle estate, there are no options for expanding the building or in other ways altering the exterior appearance.

COLLECTION

Starting with no artifacts when the Museum was developed, the collection began with the remnants of the former military collection from Dundurn Castle (much had been dispersed already, particularly to the regiments). Over the years the collection has grown to about 7,000 items with a strong emphasis on the nineteenth century.

Much of the collection is of general Canadian interest rather than local material. Much of the latter is held in the regimental and service collections (there are at least three unit museums and two collections in the Hamilton Military District).

The Statement of Purpose for the Museum was altered in 1985 to end collecting at ca.1972 due to lack of both storage and exhibition space. It was altered also to reflect the more general nature of the collection.

STORAGE

No storage facilities were incorporated into the original plans. Most items were stored in the Dundurn Castle stables until the early 1980's. They are now housed in approximately 1050 sq ft of space in an off site location. This facility has been highly criticised for its lack of environmental security and space in at least two separate reports.

EXHIBITION

Permanent exhibitions on the Army from ca. 1800 to World War I and the early nineteenth century Navy (including the "Hamilton" and the "Scourge") occupy the upper floor (approximately 680 sq ft of useable space). The lower gallery (approximately 280 sq ft) formerly held rotating exhibits but now houses a permanent exhibition on the World War I Navy and Air Force, along with some miscellaneous inter-war years material.

Although the Museum collects to ca.1972 it cannot effectively display past ca.1930 and the existing displays leave little room for necessary background information and social context. This early cut-off date and lack of proper support material goes against the philosophy for military museum exhibitions in the 1990s.

RESEARCH

The Hamilton Military Museum has a good, but by no means comprehensive, library a portion of which is in long term storage and not currently accessible to either staff or visitors. The Museum works with the Hamilton Public Library to provide as much access as possible to this resource.

PROGRAMMES

Curriculum relevant programmes were developed for school classes commencing in 1981 with an Intermediate level programme on the War of 1812. Since then the Museum has expanded to include appropriate junior level and high school programmes. These programmes are "hands-on" and emphasize the social history of the armed forces.

A series of specific programmes has been introduced to complement the Boy Scout and Girl Guide agendas as well as to interest other community based youth groups. This allows the Museum to reach Primary Grade children as well.

There are no provisions for afternoon visits during public hours; non-artifact areas for creative programmes; support areas for presentations etc.

COMMUNITY NEEDS

What the Hamilton Military Museum does, it does very well but fails to meet a range of other needs such as universal accessibility, special needs or special exhibits of local significance.

AFFILIATION

The Hamilton Military Museum has begun a process of affiliation with the Canadian War Museum, the national collection in Ottawa. The War Museum is seeking to establish relationships with a series of regional museums across Canada. The Hamilton Military Museum is the only one targeted for southern Ontario at this time. As a first step in the process, a Memorandum of Co-Operation was signed in 1992.

HAMILTON-SCOURGE PROJECT

This City of Hamilton Project intends to raise the artifacts and the two ships themselves from the bottom of Lake Ontario with a view to permanent exhibition in the City of Hamilton. One step in the process was to appoint the Curator of the Hamilton Military Museum as acting curator for the exhibitions portion of the Project. This has resulted in the recent installation of a permanent exhibit on the two ships in the Museum.

NEED FOR THE STUDY

The Hamilton Military Museum would appear to have reached its limit in utilizing the existing space. The staff need to plan for future directions, whether it be to make the museum better fit the existing space or whether to look to acquire sufficient space to carry out the current functions properly. The growth potential of the Museum services, collections and programmes needs to be analyzed as well.

The Hamilton Military Museum is connected to three other City capital projects: the need for a renovated or new collections storage area; the exhibition requirements of the Hamilton-Scourge Project and the Dundurn Castle Grounds Study. The relationship between the Museum and these other projects should be more clearly established.

Due to proximity, the Hamilton Military Museum has a special relationship with Dundurn Castle. Should the Museum remain closely associated physically with the Castle? If so, how can both museums maximize the benefits of such a relationship?

An in-depth study will allow the Museum to identify the basic community needs and how best to fulfil them; identify space requirements and basic resources needed.

OBJECTIVES

The objectives of the study will be:

- to assess the overall operation of the Hamilton Military Museum as it currently exists
- to identify the present strengths, weaknesses and restrictions of the current operation
- to prepare a framework for the future operation of the Museum, including several site options
- evaluate, and provide general costs in \$1995, for each option

CONTENT

STATEMENT OF PURPOSE

Review, and revise if appropriate, the Statement of Purpose in keeping with current military museum philosophy and the relationship of the Hamilton Military Museum to other nearby military collections and museums.

PHYSICAL FACILITIES

- 1) Examine and report on the existing facilities with regard to meeting current Museum services and programmes and with regard to meeting regulations/standards as set out in the constraint section.
- 2) Recommend the type and location of facility(s) required to:
 - a) meet existing Hamilton Military Museum and visitor needs
 - b) allow for moderate growth in same
 - c) and/or allow shared services with Dundurn Castle, Hamilton-Scourge, City cultural division storage.
 - using existing facilities
 - heritage structure(s) on or off site
 - purpose built structure on or off site
- 3) Recommend requirements for:
 - administration
 - maintenance; shipping/receiving
 - physical security
 - environmental security
 - staff amenities
 - all museological functions
 - all visitor services
- 3) provide preliminary cost estimates for the various options in \$1995.

FUNDING

Examine present and potential sources of funding for both capital and operating expenses for the next six years.

COLLECTIONS DEVELOPMENT AND MANAGEMENT

- 1) Review the Collection Management Policy and make recommendations for any appropriate change.

- 2) Review the existing storage areas and reports on the situation. Recommend solutions, which meet the physical and environmental standards set in the current Canadian War Museum Study, vis à vis the Hamilton Military Museum collection alone or in conjunction with other City collection needs.
- 3) Review any specialized conservation needs of the collection and recommend how these may best be met.

PROGRAMMES/EXHIBITIONS/RESEARCH

- 1) Review the current exhibitions, programmes and special events with regard to current space and resources, the mandate of the Museum and meeting the needs of the community.
- 2) Review and make recommendations for fully serving all segments of the community, particularly those with a disability.
- 2) Make recommendations as to minimum and ideal needs for the Museum alone or in conjunction with other institutions and organizations.

VISITOR SERVICES AND FACILITIES

- 1) Review the ability of the Museum to provide needed services and support (washrooms, cloakroom, lunchroom, theatre, meeting room, gift shop, food services, parking etc.)
- 2) Review and make recommendations for fully serving all segments of the community, particularly those with a disability.
- 3) Recommend the minimum and ideal types of services and facilities required for the Museum alone or in conjunction with other institutions or organizations.

STAFF

- 1) Review existing staffing levels and make recommendations for any increases necessary to properly carry out existing functions and services for current audience level.
- 2) Make recommendations for any staff increases required to allow for moderate growth in any function(s) or service(s).
- 3) Examine the role of volunteers in existing and future facility.

ROLE IN THE COMMUNITY

- 1) Review the existing ties and services to the local community and make any recommendations for improving or expanding same.
- 2) Review and make recommendations on the relationship between the Museum and specific segments of the community. These should include but are not confined to:
 - local school boards, private schools
 - youth groups eg. Girl Guides
 - adult groups eg. seniors centres
 - veterans organizations
 - other local military collections and museums
 - the Hamilton Military District
 - special interest groups eg. modellers
 - French language needs

ROLE PROVINCIALLY AND NATIONALLY

- 1) Review the current and potential relationship with other military museums in the province and country, particularly the Canadian War Museum; and with national organizations such as the Canadian Armed Forces.
- 2) Recommend ways to improve services to the public through wider ties eg. research materials through interlibrary loan.
- 3) If the Museum remains on Burlington Heights, how best to take advantage of this major military site which has been recognized both provincially and federally.
- 4) If closer ties are to be established with local and federal agencies, such as the armed forces, examine the feasibility of making the Museum a fully bilingual institution. Make recommendations to implement same.

CONSIDERATIONS

The Study must consider the foregoing issues with regard to the following (in no particular order):

- 1) The overall goals and objectives of the Department of Culture & Recreation as outlined in its Master Plan.**
- 2) Relevant goals and objectives of the City of Hamilton eg. tourism.**
- 3) Local fire regulations and building codes.**
- 4) Federal firearms regulations.**
- 5) Occupational Health and Safety Regulations.**
- 6) Currently accepted museological standards.**
- 7) The report for The Task Force on Military History Collections in Canada (1991).**
- 8) Museological design standards as set forth in the Canadian War Museum Feasibility Study (1992).**
- 9) Any affiliation agreement between the Hamilton Military Museum and the Canadian War Museum.**
- 10) The study team will be co-ordinated by the Manager of Cultural Service and consist of: Curator and staff of the Hamilton Military Museum, a citizen member, a Hamilton Historical Board member, and interested and appropriate group(s) or individuals. The latter might include representatives from education, youth groups, the military and the veterans, the library, McMaster University and the local neighbourhood.**

Appendix "B" as referred to in
Section 14 (a) and (b)
of the FOURTH Report of the
Parks and Recreation Committee
for 1995

Geotechnical Investigation & Condition Survey
15 Tennis Courts, Hamilton, Ontario

Summary Table 2
Priority List

Priority	Name	Location	(Year) Repair Requirements	Estimated Cost*
1	Globe Park	4	(95) - Full depth reconstruction and replacement of associated elements (02) - Crack Seal Total	\$102,625.60 <u>\$ 1,232.00</u> \$103,857.60
2	Parkdale Park	3	(95/96) - Full depth reconstruction and replacement of associated elements (00/01) - Crack Seal Total	\$79,833.60 <u>\$ 1,232.00</u> \$81,065.60
3	MacNab Centre	16	(95/96) - Full depth reconstruction and replacement of associated elements (02) - Crack Seal Total	\$159,420.80 <u>\$ 1,232.00</u> \$160,652.80
4	Westdale	8	(95) - New Fence - East & South Sides - Crack sealing (97) - Full depth reconstruction - Subdrain installation (97) - Colour coat Total	\$ 16,632.00 \$ 2,464.00 \$113,430.24 \$ 11,827.00 <u>\$ 24,061.00</u> \$168,414.40
5** (1)?	Bennetto Centre	10	(95) - Sink hole repair (96) - New fence (99) - Full depth reconstruction Total	\$ 4,065.60 \$16,262.40 <u>\$44,315.04</u> \$64,643.04
6	Lawfield Centre	15	(95/96) - Crack sealing (97) - Resurfacing - Colour coat - New fence Total	\$ 1,232.00 \$ 55,440.00 \$ 25,872.00 <u>\$ 32,032.00</u> \$114,576.00
7	Hill Park	12	(95/96) - Crack sealing (97) - Resurfacing - Colour coat - New fence Total	\$ 1,232.00 \$ 47,216.40 \$ 21,991.20 <u>\$ 30,800.00</u> \$101,239.60

Geotechnical Investigation & Condition Survey
15 Tennis Courts, Hamilton, Ontario

Priority	Name	Location	(Year) Repair Requirements	Estimated Cost*
8	Central Park	9	(95/96) - New fence (north side) - Crack seal (01) - Resurfacing Total	\$ 3,696.00 \$ 1,232.00 <u>\$19,958.40</u> \$24,886.40
9	Victoria Park	7	(95/96) - Replace fence mesh and pole painting - Crack sealing (00) - Resurfacing - Colour coat Total	\$10,842.00 \$ 2,464.00 \$39,732.00 <u>\$15,954.00</u> \$68,992.00
10	Hillcrest	5	(95/96) - New fence (east and west side) - Regrading (02) - Resurfacing Total	\$ 8,008.00 \$ 1,232.00 <u>\$ 8,870.40</u> \$18,110.40
11	Pinky Lewis Centre	11	(97) - Replace fence mesh and paint poles (03) - Resurfacing Total	\$ 8,624.00 <u>\$23,100.00</u> \$31,724.00
12	Rosedale (Gage Park)	1	(95) - Crack sealing (96) - New paint for fence (03) - Resurfacing - Colour coat surface Total	\$ 1,232.00 \$20,697.60 \$47,308.80 <u>\$22,077.44</u> \$91,315.84
13	Huntington	14	(95) - Replace 8 net pole bases (97) - Crack sealing (03) - Colour coat Total	\$ 2,957.00 \$ 2,464.00 <u>\$18,627.84</u> \$24,048.84
14	Inch Park	13	(97) - New fence (west side) (04) - Resurfacing Total	\$ 4,435.00 <u>\$22,176.00</u> \$26,611.22
15	H.A.A.A. Park	6	(97) - Crack sealing (03) - Colour coat surface Total	\$ 1,232.00 <u>\$11,211.20</u> \$12,443.20
GRAND TOTAL				\$1,092,580.92

- * Estimated Cost includes 7% Design and Administration, 5% Inspection, and 10% Contingency Cost
 ** Significant Safety Issue

*GRAND TOTAL ADJUSTED FOR INFLATION \$1,173,000.00

Appendix "C" as referred to in
Section 14 (d) of the FOURTH
Report of the Parks and
Recreation Committee for 1995

1995

MacNab	159,420	
Hill Park	101,239	
Kings Forest-Colour Coat	15,000	
Bennetto - Hole Repair only	<u>5,000</u>	
Total	280,659	281,000

1996

Westdale-Full Depth Construction	168,413	
Parkdale-Full Depth Construction	<u>81,065</u>	
Total	249,478	
3% Inflation	<u>7,484</u>	
Total	256,962	257,000

1997

Victoria Park-Fence Crack Colour Coat	30,000	
Lawfield - Resurface	114,000	
Pinky Lewis - Fence	<u>9,000</u>	
Total	153,000	
6% Inflation	<u>9,180</u>	
Total	162,180	162,000

1998

Huntington-Crack Sealing, Minor Repairs	5,000	
Bennetto - Fence	16,000	
Inch Park - Fence	5,000	
Globe Park - Full Depth Reconstruction	<u>103,000</u>	
Total	129,000	
9% Inflation	<u>12,000</u>	
Total	141,000	141,000

1999

Hillcrest - New Fence	9,000	
Rosedale - New Fence	21,000	
H.A.A.A. - Crack	2,000	
Bennetto - Full Depth Reconstruction	<u>44,000</u>	
Total	76,000	
12% Inflation	<u>9,000</u>	
Total	85,000	85,000

Page 2

2000

Victoria - Resurface	40,000	
15% Inflation	<u>6,000</u>	
Total	46,000	46,000

2001

Central Park - Resurface	20,000	
18% Inflation	<u>3,000</u>	
Total	23,000	25,000

2002

Hillcrest	8,870	
21% Inflation	<u>1,890</u>	
Total	10,760	11,000

2003

Pinky Lewis - Resurface	23,100	
Rosedale (Gage) Resurface/Colour	69,000	
Huntington - Colour Coat	<u>19,000</u>	
Total	111,100	
24% Inflation	<u>26,000</u>	
Total	137,100	137,000

2004

Inch Park - Resurface	22,176	
27% Inflation	<u>6,000</u>	
Total	28,176	<u>28,000</u>

Total		\$1,173,000
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1995 January 31

Appendix "D" as referred to
in Section 15 of the FOURTH
Report of the Parks and
Recreation Committee for 1995

MOUNTAIN SKATING CENTRE		Fall Session Schedule					August 28 - October 6, 1995	
		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
6 - 7 am								
7 - 8 am								
8 - 9 am								
9 - 10 am								
10 - 11 am				Senior Skate 9:30 - 11:30	Pre-School 9:30 - 10:30		Hamilton Skating Club 8:30 - 2:30	
11 - 12 noon								
12 - 1 pm			Adult Skate 11:45 - 1:15		Adult Skate 11:45 - 1:15			
1 - 2 pm								
2 - 3 pm			Pre-School 1:30 - 2:30					
3 - 4 pm								
4 - 5 pm							Fun Skate 3:00 - 4:45	
5 - 6 pm								
6 - 7 pm							Family Skate 5:00 - 6:30	Adult Skate 5:00 - 6:30
7 - 8 pm							Adult Skate 6:30 - 8:00	Adult Skate 6:30 - 8:00
8 - 9 pm								
9 - 10 pm							Fun Skate 8:00 - 9:45	Fun Skate 8:00 - 9:45
10 - 11 pm								
11 - 12 am		Adult Skate 10:15 - 11:30		Adult Skate 10:15 - 11:30				
12 - 1 am								

MOUNTAIN SKATING CENTRE		Summer Session Schedule					June 5 - August 27, 1995	
		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
6 - 7 am								
7 - 8 am								
8 - 9 am								
9 - 10 am								
10 - 11 am								
11 - 12 noon								
12 - 1 pm								
1 - 2 pm								
2 - 3 pm								
3 - 4 pm								
4 - 5 pm								
5 - 6 pm								
6 - 7 pm								
7 - 8 pm								
8 - 9 pm								
9 - 10 pm								
10 - 11 pm								
11 - 12 am								
12 - 1 am								

MOUNTAIN SKATING CENTRE **Spring Session Schedule** **April 24 – June 4, 1995**

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
6 – 7 am							
7 – 8 am							
8 – 9 am							
9 – 10 am		Pre-School 9:30 – 10:30		Pre-School 9:30 – 10:30			
10 – 11 am			Senior Skate 9:30 – 11:30				
11 – 12 noon							
12 – 1 pm		Adult Skate 11:45 – 1:15		Adult Skate 11:45 – 1:15			
1 – 2 pm	Senior Skate 1:30 – 3:00						
2 – 3 pm		Pre-School 1:30 – 2:30		Pre-School 1:30 – 2:30			
3 – 4 pm							
4 – 5 pm							
5 – 6 pm							
6 – 7 pm							
7 – 8 pm							
8 – 9 pm							
9 – 10 pm							
10 – 11 pm							
11 – 12 am							
12 – 1 am							

Appendix "E" as referred to in
Section 16 of the FOURTH Report
of the Parks and Recreation
Committee for 1995

TEXT FOR THE SIGN

GORE PARK WALKWAYS

Description

The City of Hamilton is planning to replace the existing walkways with an architecturally patterned concrete walkway resembling the existing natural stone. Immediately in front of this sign is a sample of the proposed walkway. The concrete surface has been coloured and textured to resemble natural limestone. The pattern is called "Ashlar" to match the existing pattern of the walkways.

Work is expected to begin by _____ and last approximately ____ weeks. Funding has been approved to reconstruct the walkways in Gore Park in 1995. Before the City of Hamilton proceeds with this project, this panel has been installed to convey information about this project and the type of material to be used for replacement of the existing stone walkway.

The Benefits

The proposed walkway surface offers many benefits including the durability of a concrete walkway, slip resistance, low maintenance, high aesthetic appeal and the visual continuity of an existing element in the park.

Public Input

All citizens and special interest groups are invited to inspect this sample and to send their comments to the City of Hamilton, Department of Public Works, Parks Division, City Hall, 71 Main St. W., Hamilton, Ontario, L8N 3T4 or you can call the Parks Division at (905) 546-2409. Thank you for your consideration.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FIFTH** Report for 1995 and respectfully recommends:

1. (a) That City Council reaffirm its position and endorse the preparation of a bid package for the City of Hamilton to host the 2001 Canada Summer Games, subject to a full report being presented to the Parks and Recreation Committee on the details of the bid package, the cost associated with hosting the games and all other commitments required of the City; and,
- (b) That staff be directed to work with the 2001 Canada Summer Games Bid Committee in formulating this report; and,
- (c) That, as a result of the City's pending consideration per the above recommendations, the Minister of Culture, Tourism and Recreation be advised that Hamilton will not bid to host the 1997 Ontario Winter Games in order to concentrate its efforts on bidding and hosting the 2001 Canada Summer Games.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1995 January 31

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIFTH** Report for 1995 and respectfully recommends:

1. That approval be given to Zoning Application 94-31, The Regional Municipality of Hamilton-Wentworth, owner, requesting a modification to the established "AA" (Agricultural) District regulations, to permit a penny arcade with a maximum of 30 machines, for property located at 680 Van Wagner's Beach Road, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the "AA" (Agricultural) District regulations as contained in Section 7A of Zoning By-law No. 6593, applicable to the subject property be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 7A.(1)(c) of Zoning By-law No. 6593, a penny arcade with a maximum of 30 machines shall be permitted accessory to the public use of a theme park; and,
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1338, and that the subject lands on Zoning District Maps E-121 and E-122 be notated S-1338; and,
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, and Zoning District Maps E-121 & E-122 for presentation to City Council; and,
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Kiss, Copps, Wilson, Agostino. -4.

CARRIED.

2. That approval be given to amended Zoning Application ZAC-94-27, Gerald Coleman and Robert Coleman, owners, requesting a modification in zoning to the established "C" (Urban Protected Residential, etc.) District to permit the use of the subject land for a photographer's studio and one residential unit, for property located at 71 Rymal Road West, as shown on the attached map marked as Appendix "B", on the following basis:
 - A. That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (a) That notwithstanding the provisions of Section 9(1) of Zoning By-law No. 6593, only the following uses shall be permitted:
 - (i) a photographer's studio; and,
 - (ii) one residential dwelling unit in the same building as the photographer's studio; and,
 - (b) That a landscaped planting strip having a minimum width of 3.0 m, and a visual barrier of not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the southerly property line; and,
 - (c) That a landscaped planting strip having a minimum width of 1.2 m, and a visual barrier of not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the westerly property line where it adjoins a residential district, except that no visual barrier shall be situated closer than 3.0 m in distance from the front lot line; and,
 - (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1337, and that the subject lands on Zoning District Map W-9E be notated S-1337; and,
 - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9E for presentation to City Council; and,
 - (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
 - B. That Site Plan Control By-law No. 79-275, as amended by By-law 87-233, be amended by adding the subject lands to Schedule "A".

3. (a) That approval be given to the "Intent to Designate" the 9 units of the James South Stone Terrace at 142, 144, 146, 148, 150, 152, 154, 156 and 160 James Street South as properties of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1989, as outlined in the Reasons for Designation attached herewith and marked Appendix "C"; and,

(b) That the City Solicitor be authorized as directed to take appropriate action to have these properties designated pursuant to the provisions of the Ontario Heritage Act, 1989.
4. (a) That in accordance with the Cash-in-Lieu Policy that John Flynn of Sonke Holdings, be required to pay to the City of Hamilton the sum of \$22,500. which is 50% of the cost of providing six parking spaces for the property at 1004-1006 King Street West at a cost of \$45,000.

(b) That the City Solicitor be directed to prepare the Cash-in-Lieu Agreement as required.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Caplan. -1.

CARRIED.

5. (a) That the Terms of Reference for the Official Plan Review, attached as Appendix "D", including the funding and additional staffing requirements, be approved.

(b) That the Treasurer be directed to consolidate the following Capital Projects accounts with all the revenues and expenditures being transferred to a new consolidated Capital account titled "Special Planning Projects":
 - (i) CF 548741001 Municipal Housing Statement Update
 - (ii) CF 548841002 Housing Intensification Study
 - (iii) CF 548953001 Niagara Escarpment Plan Implementation
 - (iv) CF 548953002 Building Profile Program
 - (v) CF 549055005 Statement of Land Use Planning - Housing

6. That \$5,000. be provided for the Seventh Annual Business Development Seminar that is being held on 1995 October 25, from Phase IV of the Downtown Action Plan Account Number CF 5200-428803000.
7. That the City of Hamilton's Public Works Department, in conjunction with the Keep Hamilton Clean Committee, hold the 7th Annual Public Service Announcement Competition through Mohawk College Media Studies Program and CHCH-TV at a total estimated cost of \$3,000.
8. That leave be granted to introduce the following Bills:
 - (a) Bill C-10 A By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-laws No. 83-192 and 94-008 respecting land located at Municipal No. 303 York Boulevard
 - (b) Bill C-11 A By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-law No. 95-02 respecting Ainslie Wood Neighbourhood, Ainslie Wood East Neighbourhood, Ainslie Wood North Neighbourhood and Ainslie Wood West Neighbourhood.

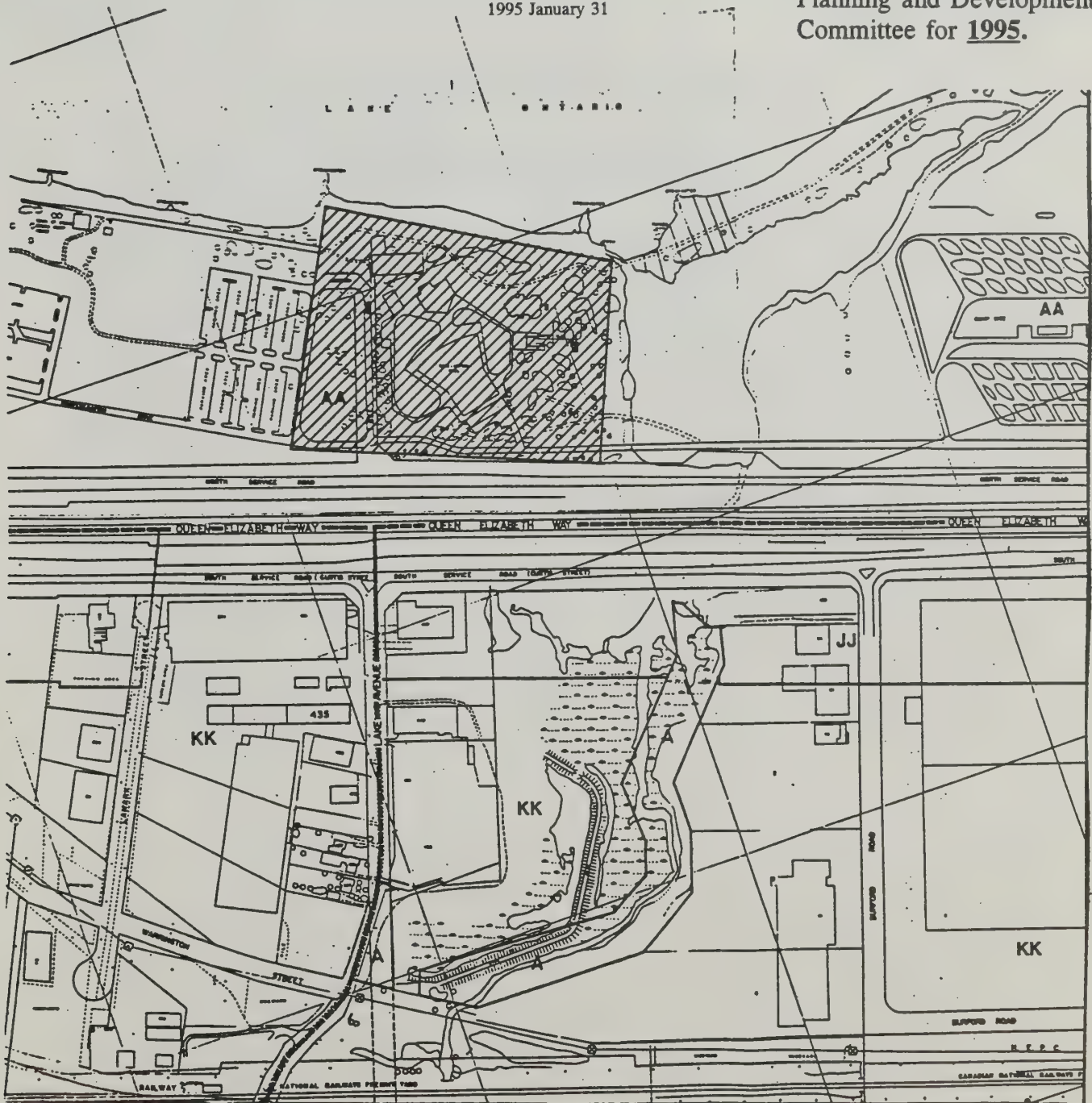
RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT
COMMITTEE**

**Stella Glover
Secretary**

1995 January 25

1995 January 31



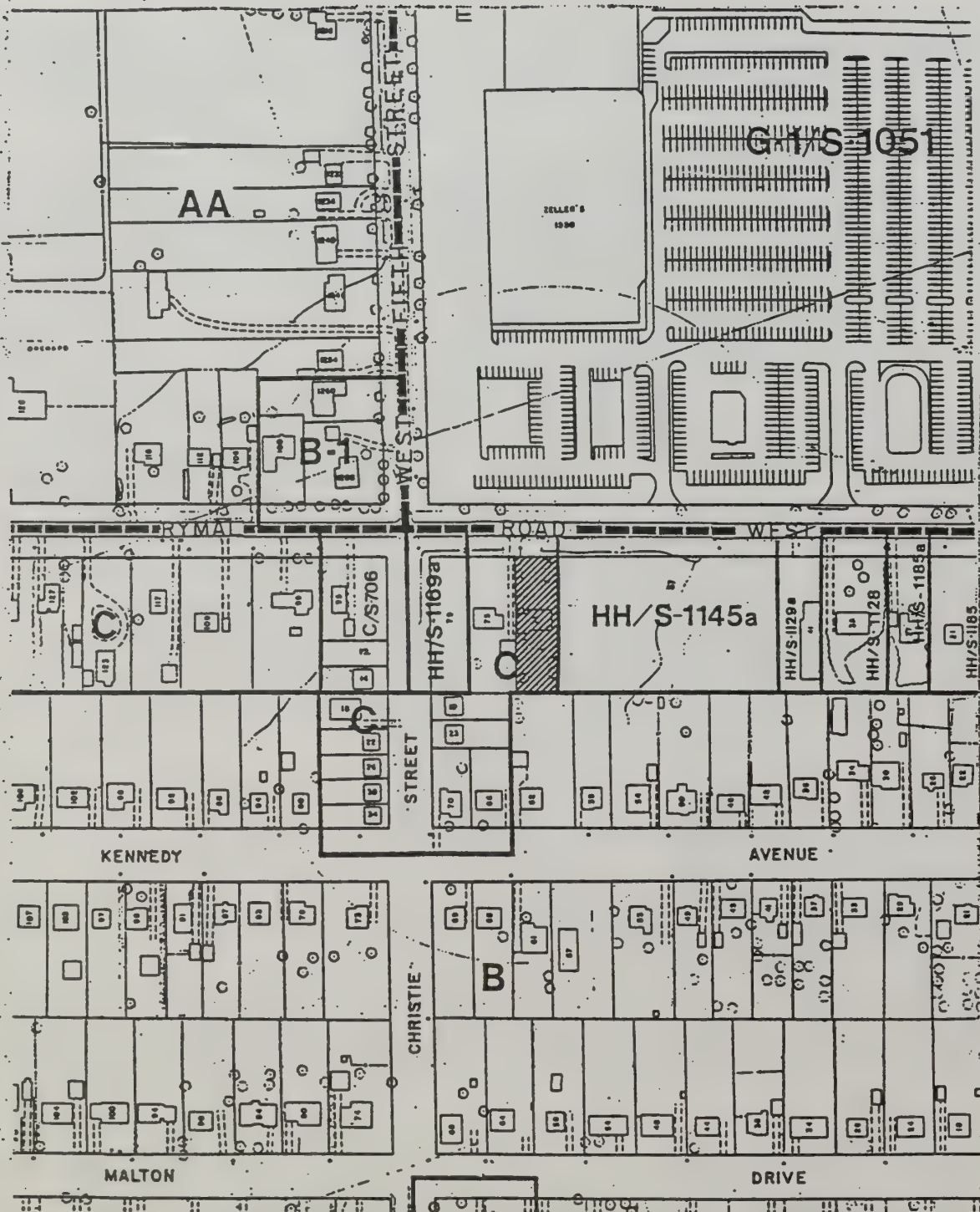
Legend



Modification to the established "AA" (Agricultural) District

ZAR-94-31

1995 January 31



Legend



Site of the Application

ZAC-94-27

1995 January 31

REASONS FOR DESIGNATION

James South Stone Terrace 142 – 160 James Street South, Hamilton

Context

Built between 1854 and 1860, the ten-unit stepped stone terrace extending along the west side of James Street South between Bold and Duke is a landmark and major anchor block in the James South heritage streetscape. Today, this long stone terrace dominates a row of historic buildings just south of the railway underpass; opposite, on the east side of James, the 19th and early 20th century buildings have been largely displaced by office towers.

Since Hamilton's early development, James Street has been a principal thoroughfare providing a vital transportation link between the waterfront and escarpment to the south. With the southward urban growth beginning in the 1850s, James Street South evolved as part of the city's most desirable residential area, noteworthy for its prestigious stone mansions and terraces, and later large Victorian homes. The first dramatic changes to the streetscape took place in the 1930s with two major construction projects: the TH&B railway underpass, which disrupted the visual continuity of James Street South, and the imposing 8-storey Medical Arts Building, a precursor of the modern high-rise development now scattered along its length. Less intrusive changes have resulted from the progressive conversion of single-family and row houses to commercial use: notably, the introduction of business signage and alterations to lower street facades.

History

Built for three separate owners: merchant John Mackenzie (#142–144), contractor George Murison (#146–154), and manufacturer Alexander Gordon (#156–160), all ten units were originally rented as single-family dwellings to prominent businessmen and professionals. After 1900, an increasing number of doctors and dentists took up residence and opened home practices in the terrace, a reflection of the growing concentration of medical practitioners in the immediate area. Since the 1950s the terrace has served a mixed commercial/residential use accommodating a variety of stores, galleries, restaurants, professional offices, and upper floor apartments.

Of particular interest is George Murison's association with the stone terrace: he was a well-respected contractor appointed in 1858 as builder of the Custom House and also played an active role in local politics, serving as a city councillor from 1856 to 1871, with one year as mayor in 1870. Another prominent Hamiltonian, Samuel Mills, owned the Gordon buildings in the 1860s. A highly successful businessman, who eventually became known as "one of the three wealthiest men in Hamilton", Mills also gained political recognition when appointed a life member of the Legislative Council of the Province of Canada in 1847 and a senator in the year of Confederation.

Architecture

The stone terrace on James Street South is one of few surviving pre-Confederation rowhouses in Hamilton. While the rowhouse was a common building type in the city, relatively few were built of stone; and of these early stone terraces dating from the 1850s and 60s, a number of fine examples have been lost (notably, Palmerston Terrace on Jackson Street West). In the area south of Main Street (known today as the Durand Neighbourhood) where the concentration of stone terraces was greatest, only four are still standing – Sandyford Place on Duke Street, Herkimer Terrace, 122–126 MacNab Street South, and the James South terrace.

The James South Stone Terrace is distinguished by its unrivalled length, the forceful simplicity of its design, and its finely crafted limestone ashlar facade. Erected by skilled immigrant masons using stone quarried locally from the escarpment, this terrace displays the high quality of design and workmanship that characterized Hamilton's early stone architecture. Although built in blocks for three different owners on a sloping site, the overall row possesses a homogeneous character achieved through the consistent use of limestone, uniform set-back and standard rowhouse format. Subtle distinctions were, however, created by varying the proportions and detailing of the three blocks. The two MacKenzie units feature 2-storey pilasters and a horizontal string course between the first and second storey; the Murison Block is distinguished by its taller second-storey proportions and bracketed eaves; while the three Gordon units are narrower and, unlike the other ones, their entrances are located in the north bay.

On the whole, the terrace has survived remarkably well: the addition of dormers and one mansard roof (#158) as well as alterations to entrance doorways, stairways, and windows have not seriously undermined its original appearance. The only major change has been the replacement of the first storey stone facade at #156 by a projecting brick addition with a modern glazed storefront.

Designated Features

Important to the preservation of the James South Stone Terrace are the original features of the east (front) facades and north end wall, including: the limestone masonry walls and parapets; the cut stone sills, lintels, string courses, and pilasters; the original doorways and windows; and the bracketed eaves and other original details. Excluded are: the projecting store front added to #156; the various dormer additions; and the modern entrance porches, stairways, windows and doors.

1995 January 31

Terms of Reference:

The Hamilton Official Plan Review

Prepared By:

Local Planning Branch
Hamilton-Wentworth
Planning and Development Department

January, 1995

SECTION 1: INTRODUCTION

1.1 What is an Official Plan?

The Official Plan is a municipality's most important land use planning document. The Official Plan maps the future land use direction of a municipality and provides a blueprint for effectively managing future growth. Traditional Official Plans provide the basic framework for land use planning-based decision making. However, over the last several years, new Official Plans have broadened their scope to address issues and concerns that are not directly land use based. Examples of these new directions include policies on health, culture, education, economic growth, quality of life, etc. In addition, new concepts have emerged, such as sustainable development, which will shape the nature of municipal planning through the 1990's and beyond.

1.2 The City's Official Plan and the Need for a Review

The original Official Plan for the City was developed in 1945 by E.G. Faludi. The City undertook a major review in 1982 based on a number of background studies that were completed in the late 1970's. Since that time, 128 amendments have been processed including 5 housekeeping amendments. These amendments have kept the Official Plan relatively up-to-date by including new Provincial policies, new planning directions initiated by the City and various wording and mapping changes.

In May, 1994, the Region of Hamilton-Wentworth adopted a new Official Plan entitled *Towards a Sustainable Region* which embraces the new philosophies of the 1990's such as sustainable development, environmental awareness, etc. The Official Plan also identifies a number of initiatives that local area municipalities must undertake to bring their respective Official Plans into conformity with the Regional Official Plan.

From a legal perspective, Section 26(1) of the Planning Act states:

"The council of every municipality that has adopted and had an approved official plan shall from time to time, and not less frequently than every five years, hold a special meeting of council, open to the public, for the purposes of determining the need for a revision of the official plan."

Within the spirit of the Planning Act, a comprehensive public participation process will be established to solicit input from the public, the Region, Provincial ministries and other agencies. The process also identifies key time frames when specific groups will be consulted.

The introduction to the Provincial Legislature of Bill 163 through First Reading on May 18, 1994 will also impact upon the review of Hamilton's Official Plan. Resulting from the efforts of the Commission on Planning and Development Reform chaired by John Sewell, Bill 163 embodies a number of themes and concepts that were advocated in the Commission's Final Report entitled New Planning In Ontario. It is anticipated the Bill will receive Royal Assent in early 1995.

The proposed legislation contains a number of revisions to the Planning Act including changes to the scope and content of Municipal Official Plans. Through Bill 163, Section 16 of the Planning Act will be repealed and substituted with the following:

"An official plan shall contain the prescribed contents and,

- a) shall contain goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the municipality or part of it, or an area that is without municipal organization; and
- b) may contain a description of the measures and procedures proposed to attain the objectives of the plan and a description of the measures and procedures for informing and obtaining the views of the public in respect of a proposed amendment to the official plan or in respect of a proposed by-law."

In addition, Bill 163 introduces a comprehensive set of Provincial Policy Statements for which "a decision of the council of a municipality... shall be consistent with". This wording is much stronger than the current wording in the Planning Act, where municipal councils "shall have regard to Policy Statements". The new Policy Statements include the following:

- Natural Heritage, Environmental Protection and Hazard Policies
- Economic, Community Development and Infrastructure Policies
- Housing Policies
- Agricultural Land Policies
- Conservation Policies
- Mineral Aggregate, Mineral and Petroleum Resources Policies

Accordingly, the intent and direction of these Policy Statements will have to be incorporated within the policies and schedules (if applicable) of the Hamilton Official Plan. To assist in the implementation of Policy Statements, the Provincial Government issues "Implementation Guidelines" which provide greater clarification for municipalities. However, these Guidelines will be issued after the legislation receives Royal Assent and implementation of the Policy Statements will represent a major work component of the Official Plan Review.

1.3 New Planning Concepts

Municipal planning is not static nor is it a closed system; it is an evolution of concepts, ideas and implementation tools, subject to pressures from other sources. A number of new planning concepts have been identified in recent years. Some of the most notable include:

- the introduction of sustainable development, neo-traditional planning and healthy, liveable communities;
- a more proactive approach to environmental management;

- a focus on mixed use areas (residential/commercial/institutional) as an alternative to urban sprawl; and,
- recognition of quality-of-life by enhancing social, cultural, health and educational services in a community.

There have also been significant changes in the land market that will have to be reflected in the Official Plan. These changes include:

- the diminished viability of traditional strip retail commercial areas and the introduction of "big box" retail establishments, often in traditional industrial areas;
- a continuing decline in the demand for higher-density residential lands as a result of demographic changes and the curtailment of non-profit housing programs; and,
- economic rationalization within the industrial/manufacturing sector has created an increased number of vacant and/or underutilized industrial land parcels for which future use is not clear.

SECTION 2: THE NEW OFFICIAL PLAN

2.1 Introduction

The Official Plan Review will include a comprehensive analysis and evaluation of the concepts, approaches and policies contained in the existing Plan and will culminate with the creation of a new Official Plan. The review will involve input from a variety of sources including the public, business community, special interest groups, government agencies, departments and ministries. The primary staff allocation will be from the Local Planning Branch, Planning and Development Department. A description of the public participation process is contained in Section 4 of this report.

2.2 Phasing

The Official Plan Review will be divided into four distinct phases which are as follows:

Phase 1: Preliminary

- 1) An introductory Public Meeting will be held to solicit input from the public. At that time, written submissions will be requested and interested parties will be identified in accordance with the Planning Act requirements.
- 2) A Departmental Study Team and Inter-Departmental Technical Advisory Committee will be formed including staff from key departments and agencies (i.e., Traffic, Roads, Environmental Services, Regional Planning, Hamilton Region Conservation Authority, etc.).

- 3) Issues and areas of concern will be identified by staff, letters of submission, and from other Departments and agencies.
- 4) A survey of other municipalities who have developed new Official Plans will be undertaken to identify new policy directions, structure, content, etc.
- 5) The existing Schedules of the Official Plan will be "digitized" on computer to allow easier manipulation of designations.

Phase 2: Review of the Official Plan

- 1) Various Policy Papers (see 2.3) will be completed prior to the formation of new and/or revised Official Plan policy. Each project leader, in conjunction with the study team, will be responsible for developing a clear Terms of Reference for the particular subject area. The Policy Papers will: review existing Official Plan policies; identify new policy directions; and, outline possible future policy directions in the Official Plan. In addition, an overall "Vision" will be developed that will be included in the new Official Plan.
- 2) Public information meetings will be held and individual mailings sent out to release the results of the Policy Papers and to solicit input on findings and future policy directions.

Phase 3: Policy Formulation

- 1) With the information gathered during Phase 2, new policies will be developed and/or existing policies revised. There will be three classes of policy changes:

Fundamental Change - This will involve the introduction of new policy directions that were not contained in the existing Official Plan (e.g., sub-watershed planning, sustainable development principles, etc.) or the revamping of an existing policy;

Major Change - This will change will affect sections/subsections/clauses which are still relevant but require re-adjustments due to changing circumstances; and,

Minor Change - The policies will change marginally but the intent and direction of the policies are still valid.

Phase 4: Completion of the Plan

- 1) The "preliminary" Draft Official Plan will be formulated and will be discussed at Public Meetings and circulated to a wide variety of interest groups and agencies for comment.
- 2) Various submissions will be received and the Official Plan will be redrafted where appropriate.
- 3) The "final" version of the Draft Official Plan will be released and submitted to City Council for adoption.

2.3 Policy Papers

The length and complexity of each Policy Paper will depend on the nature of the issue. For example, housing issues were the subject of a comprehensive study in the early 1990's and little has changed to date; however, the commercial policy paper will be extensive because of the market changes that have occurred over the last 20 years. A brief description of the Policy Papers is noted below.

Industrial

Hamilton has been witness to the on-going transformation of traditional manufacturing in today's world. As manufacturing/industrial establishments continually search for lower cost environments, the intensity and demand for industrial lands has diminished. This market trend has important implications for land use planning as lands/buildings that were needed for industrial uses as recently as 20 years ago, are no longer economically viable for industry. Two key issues include redevelopment on vacant and/or underutilized industrial lands and flexibility for future land uses.

Commercial

In the 1990's, the nature of retailing/wholesaling has changed considerably with the introduction of retail warehousing (e.g., PriceCostco, Flooring Warehouse, etc.) as well as retailers moving away from traditional strip retail sites to larger sites (e.g., White Rose, Wal-Mart, Zellers, etc.). Such sites are more often found in industrial areas.

With the changing face of retailing, slow economic growth and shifting demographics, smaller stores have difficulty competing with the economies of scale afforded by the large retailers. This has created a number of vacant commercial buildings along traditional strip retail areas such as Barton Street, James Street, etc.

Housing/Residential

In 1992, Amendment No. 109 was approved, which established new and updated housing policies. The impetus behind the new housing direction was the introduction of the Provincial Policy Statement *Land Use Planning for Housing*. Although some refinement is likely required as a result of Bill 163, the thrust of the current housing policies appear to be reflective of current government policy and city trends.

Institutional

At the present time, there does not appear to be any serious concern with respect to institutional uses in the City or with institutional policies within the Official Plan. However, a more in-depth examination will be undertaken at the time of the study.

Mixed Use Corridors/Nodes

One of the new planning directions of the 1990's is to encourage the development of these areas where people live, shop and work. Consistent with this theme, the new Regional Official Plan is requiring municipalities to identify mixed use areas. These areas can either be residential in nature with some limited commercial permitted, or other areas where the primary use is commercial and there may be some opportunity for residential above stores, for example.

Open Space/Parkland

At the present time, the City is completing the Parks Master Plan, which will identify changes required to the Official Plan policies. In addition, the Region is undertaking the Regional Greenlands study, which identifies potential links between natural areas, public open space lands. The results of this study will lead to a discussion paper for the municipalities and the Conservation Authorities.

Environmental

Responsible environmental management is a world-wide focus in the 1990's. Locally, the Community Attitude Survey conducted in 1991 as part of the background work for the Hamilton Strategic Plan revealed a growing concern among Hamilton residents for environmental issues. These responses were echoed by the Task Force on Sustainable Development which developed a number of strategies to deal with environmental issues. The responses included: improving water and air quality, reducing waste, increasing the use of public transit, promoting and enhancing our natural corridors, etc.

The Province has also introduced the Wetlands Policy Statement which is to be included in Official Plans. The aim of the Policy Statement is to identify Provincially and Regionally significant wetlands and develop policies for their preservation and to minimize impacts from surrounding land uses.

As part of the Regional Official Plan Review, the Natural Areas Inventory was developed which identifies all Environmentally Significant Areas (ESA's) as well as Areas of Natural and Scientific Interest. These areas are to be included in the City's Official Plan.

Transportation/Infrastructure

At the present time, the Region is conducting a Regional Transportation Review, which is intended to develop a new "vision" for the Region. The new "vision" is based on the principles of Sustainable Development, including reduced dependence on automobiles, an increased public transit role, greater opportunities for cyclists and pedestrians and reduced impacts on the neighbourhoods and the environment. Recommendations will be forthcoming that would be examined for their applicability for inclusion in the Hamilton Official Plan. As well, the existing policies relating to infrastructure will be updated to reflect the current Regional infrastructure plan.

Heritage Resources

Following a seven year review and public consultation process, the proposed Heritage Act is expected to be introduced to the Ontario Legislature shortly, although no date has been set. The draft legislation indicates a consensus on the direction heritage conservation should proceed in the Province.

The new Heritage Act will extend the local conservation mandate in a number of ways:

- municipalities will be required to have heritage conservation policies;
- the mandate of LACAC's will be expanded to include living heritage and movable heritage property;
- municipal inventories will be included in the legislation and guidelines provided;
- municipal incentives for heritage conservation, such as deferral of payment of property taxes for listed or designated properties for a specific period or for the rebate of such taxes, will be included;
- municipalities will be able to request heritage impact assessments for proposals affecting listed properties (if statement is in the Official Plan);
- public authorities, including municipalities, will be required to give serious consideration to conservation of designated properties;
- designation of a Heritage District will require a Heritage Conservation Area plan;
- municipalities can enact interim controls for a conservation area under study;
- archaeological sites 100 years or older become automatically a "protected heritage site".

Urban Design

Urban or community design has always been an implicit part of the planning process and the Official Plan. This enables us to draw a picture of all the developable volumes for an entire city/community and thus show a probable city/community form. Land use regulations determine the general character and life or lifelessness of a public place such as a street. This area of focus will become increasingly important where redevelopment occurs because of the impacts on the existing built environment.

In response to the heightened public interest in the quality of urban/community life, the image of the city/community and design issues in general, it is becoming necessary to synthesize all the fragmented and often unrelated (and on occasion competing) urban/community design policies, guidelines and initiatives into one comprehensive urban/community design approach. This has to start with a separate Urban/Community Design Chapter in the Official Plan.

The elements of urban/community design include:

- form and mass of buildings (height, setbacks, specific design requirements)
- movement (cars, public transit, pedestrians, bicycles...all modes, conflict mitigation)
- streetscaping (facades, signage, hard and soft landscaping, street furniture)
- nightscaping (streetlighting, commercial and aesthetic use of light)

- comfort, safety and accessibility for all citizens (design for the disabled, seniors, special consideration for personal safety)
- climate (sun access and shadow casting, protection against elements of weather, designing for four seasons)
- public art (aesthetics of public places)
- views, sightlines, landmarks, important open spaces (guidelines for development, enhancement and protection).

Quality-of-Life

With a greater focus on our quality-of-life (health, education, leisure activities, social and cultural events), the Official Plan will include policies relating to these areas of interest. There are several policies within the Plan at the present time; however, as noted previously, Bill 163 will make the inclusion of these types of policies mandatory in municipal official plan documents.

SECTION 3: PUBLIC PARTICIPATION

3.1 Public Participation

During the Official Plan Review, input will be obtained from the "stakeholders" in the community (i.e., residents, business, special interest groups and community agencies) to provide both future direction on general land use management and reactions to the new Official Plan. Accordingly, public participation is key to a successful community-based land use plan.

It is important for the residents and the business community to be committed to the process. The public participation process must be meaningful but workable as well as cost effective!

3.2 Public Participation Process

A comprehensive mailing list of ratepayers groups, special interest groups, individuals, etc., who wish to participate will be established. It is also important to recognize that public participation should include getting the message to individuals who may be sight impaired or do not have an adequate grasp of the English language. In this regard, it is anticipated that summaries of the various Policy Papers will be reproduced in a format appropriate to these segments of the population. There will be three "phases" of public participation to coincide with the progression of the work associated with the Official Plan Review.

Phase 1: Preliminary

There are three components to the first phase of the public participation process:

- Undertake a telephone survey, similar to the Community Attitude Survey conducted for the Strategic Plan, to ascertain residents views on land use planning matters and how they see the focus of the City. The survey will also provide input for the creation of the Official Plan "Vision".
- Undertake a written survey for businesses with similar questions but the focus would be more toward their concerns in regard to land use planning. This could be done in conjunction with the Chamber of Commerce, either through their mailing list or they could assist in the distribution of the questionnaires.
- Inform the existing Sub-Committees of Hamilton City Council and interested parties of the Official Plan Review.

Phase 2: Review of the Official Plan

This is the most critical stage in the public participation process since the various Policy Papers will have been completed and broad policy direction established. As a starting point, a concise flyer/brochure or small newspaper can be distributed which summarizes the survey results, the policy directions of each of the Policy Papers and the public participation process. The brochure would go to all households, to the businesses and organizations through the Chamber of Commerce and those on the comprehensive mailing list. As well, the flyer/brochure will include request for written submissions.

Other elements of public participation within this phase include the following:

- Tapping into the existing Sub-Committees of City Council (e.g., LACAC, Urban Design, Barrier Free Design, etc.) for the ideas and opinions.
- Preparing 2-3 page summaries of each of the various Policy Papers on coloured paper to be available in strategic locations thorough the City (i.e., libraries, senior centres, recreation facilities, etc.).
- Preparing Official Plan Review displays to be put up in each of the libraries within the City and inviting comment.
- Holding one-day workshops on each of the Policy Papers.

Phase 3: Policy Formulation

Once the input has been received on policy direction, and the preliminary Draft Official Plan has been completed, a number of public participation actions will occur:

- A letter will be written to individuals on the comprehensive mailing list to indicate that the preliminary Draft Official Plan is complete and copies are available for review.

- Advertisements will be placed in both the Hamilton Spectator and the local Brabant newspapers indicating that the preliminary Draft Hamilton Official Plan is available for review and comment.
- Open Houses will be held in conjunction with Ward meetings to give local residents and business owners an overall view of the Plan and invite them to comment.

Once the submissions have been received from the public, other agencies, various departments and Provincial ministries, the preliminary Draft Official Plan will be revised and submitted to the Planning and Development Committee as a final Draft Official Plan. At this time, as required by the Planning Act, a formal Public Meeting will be held.

SECTION 4: STAFF RESOURCES AND TIMING OF REVIEW

4.1 Introduction

It is anticipated the Hamilton Official Plan Review will take approximately two and half years to complete. The detailed process and timing of the Official Plan Review are available under separate cover.

4.2 Project Co-ordinator/Internal Steering Committee

One person will be assigned as the Project Co-ordinator. The person will be responsible for managing and overseeing all aspects of the Official Plan Review. The Project Co-ordinator will be the head of the Internal Steering Committee which would consist of the Team leaders (1 for each policy paper, 1 public participation liaison officer and 1 person from the Technical and Cartographic Section). The intent of the Technical Steering Committee meetings is to keep the review on track, identify staffing and timing resources and ensure data collection is moving along well. It is anticipated the Steering Committee will meet on a monthly basis.

4.3 Technical Advisory Committee

This Committee will involve key people from other municipal departments, agencies and provincial ministries. The primary function is to review the work of the various teams, to ensure consistency with other department and agency mandates, as well as providing technical expertise when required.

4.4 Structure of Teams

Each team will be headed by a project leader. Once the project leader is chosen he or she will be responsible for outlining the scope and nature of issues. From there, he/she will develop a team consisting of staff from other municipal City and Regional departments, provincial and public agencies and any other persons which may be helpful to the team. At the outset, the team will be responsible for developing a comprehensive Terms of Reference. Within the Terms of Reference, it will be determined if the existing staff complements within various departments are adequate both from a time perspective as well as the level of expertise. If consultants are required, then Proposal Calls would be drawn up.

The Team leader will be responsible for reporting to the Project Co-ordinator at regular Intervals as to the progress of the Policy Paper. This person may or may not be from within the Planning and Development Department.

4.5 Public Participation Co-ordinator

Given the importance of the public participation component of the Official Plan Review, it would be appropriate for one person to be dedicated to this task throughout the whole exercise. The Co-ordinator would be responsible for implementing the questionnaires, working with the consultant on the survey, co-ordinating the displays with the Technical and Cartographic Section, dealing with the media, setting up meetings, etc. This person would be hired on a temporary basis for the extension of the Official Plan Review.

4.6 Staffing and Costs

The staffing complement of the Local Planning Branch of the Planning and Development Department would be comprised of the following:

Core Team:

Project Co-ordinator	325 days
Assistant Project Co-ordinator	360 days
Public Participation Co-ordinator	100 days

Additional Resources:

Planners	415 days
Division Head, Policy and Neighbourhood Planning	150 days
Director of Local Planning	10 days
Supervisor, Technical and Cartographic	50 days
Cartographic Technician	200 days

4.7 Additional Costs

There are additional costs associated with the cost of such a large project, over and above the salaries for temporary staff members. These costs include:

• Community Focus and Business Surveys	\$15,000
• Newspaper Brochure	\$20,000
• Displays	\$ 5,000
• Printing	\$20,000

Total costs for the Official Plan is projected to be \$250,000, of which \$100,000 can be financed through existing funding programs. At the present time, the request for \$150,000 (\$75,000 in 1995 and 1996) has been initiated through the Capital budget process.

4.8 Timing

The project is to be completed over a 2½ year time frame, commencing in January, 1995 and finished by September, 1997. It should be noted this timing does not include any possible ramifications from the numerous provincial guidelines (60) the City is expected to review, assess and incorporate as part of the implementation of Bill 163.

The Official Plan review process and the time frame charts are available on request. They are not reproduced as part of this report due to their size.

JHE/KE:jhe/ke
c:\opreview\outline

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **THIRD** Report for 1995 and respectfully recommends:

1. That approval be given to the actions taken in forwarding the following recommendation to Regional Council for consideration:
 - (a) That the City Council agrees that the area to be included in all the events planned for May 8, 1995 for the WWII Veterans be widened to include the five surrounding municipalities of Hamilton-Wentworth; and,
 - (b) That this recommendation be forwarded to the Regional Council with a request that this matter be forwarded to the appropriate regional standing committee for discussion and recommendation to Regional Council.
2. That the listing of Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1995 January 13, attached herewith and marked Appendix "A", be approved.
3. That the prelevy residential and non-residential mill rates for 1995 be established at figures slightly below 50% of the 1994 respective mill rates as follows:
 - (a) (i) That a real property tax prelevy mill rate of 200 mills be established for 1995 to be billed in two instalments of 100.0 mills each, payable 1995 February 28 and March 31. This prelevy rate represents 49.827% of the 1994 residential mill rate; and,
 - (ii) That a business tax prelevy mill rate of 236 mills be established for 1995 to be billed in one instalment, payable 1995 February 28. This prelevy rate represents 49.976% of the 1994 non-residential mill rate; and,
 - (b) That a non-metered water and sewer surcharge prelevy, be established on behalf of the Regional Municipality of Hamilton Wentworth, based on approximately 50% of the 1994 charge, to be billed in two equal instalments, payable 1995 February 28 and March 31.

4. (a) That the City be authorized to temporarily borrow monies to meet current budget expenditures for 1995 pending receipt of current revenues; and,
 (b) That the appropriate borrowing by-law be approved.
5. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

156 Birchcliffe Cres. 66 Edgewood	31 Fairholt North 144 MacNab North
--------------------------------------	---------------------------------------

 (b) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.
6. That J. G. Pavelka, P. Eng., be recognized as the General Chairman for the 1996 Canadian Public Works Bi-Annual Conference and Exposition to be hosted in Hamilton, Ontario.
7. (a) That the City Clerk be authorized to remit payment to the Association of Municipalities of Ontario in the amount of \$13,161.52 for the City of Hamilton's 1995 Membership fee; and,
 (b) That this cost be financed from Account No. CH56011-10032 - Memberships.
8. That the Chairperson or his designate be authorized to attend a Two-Day Conference entitled "Reengineering Government" to be held on 1995 March 28 and 29 in Ottawa.
9. That funds be allocated from the Reserve for Replacement of Mobile Equipment, account Centre No. CH 00101, for the replacement of vehicles as summarized below:

<u>Section</u>	<u>No. of Vehicles</u>	<u>Estimated Amount</u>
City Garage Pool	39	\$ 722,000.
Parking Authority	2	55,000.
Public Works - Vehicles	26	
- Miscellaneous Equipment	<u>17</u>	<u>1,884,500.</u>
Total	<u>84</u>	<u>\$2,661,500.</u>

10. That a purchase order be issued to Sheridan Equipment, Mississauga, in the amount of \$189,261.25, all applicable taxes included, for the purchase of One (1) 3 1/2 Cubic Yard Articulating Wheel Loader for Fleet Services, being the lowest of seven tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.
11.
 - (a) That the 1995 General Grant Applications be processed in a manner consistent with the 1994 General Grant applications which includes consideration of written presentations only from the grant applicants by the Committee of the Whole; and,
 - (b) That a Committee of the Whole consider the 1995 General Grant requests at a meeting on 1995 March 23; and,
 - (c) That all 1995 General Grant applicants be advised of this process.
12.
 - (a) That the City Treasurer be authorized to process additional Property Department-Architectural Division capitalization charges, resulting from time spent on the Hamilton Tennis Club project by the Architectural Division staff for their involvement in: retaining a second contractor; filing a claim against the bonding company of the original contractor; and responding to claims by both the consultant architect and the original contractor, to account number CF 5251 709141006 as follows:
 - (i) In the amount of \$18,109.53 for the quarter ending 1994 September 30; and,
 - (ii) For an estimated amount of \$8,100. for the quarter ending 1994 December 31; and,
 - (iii) For an undetermined amount for the period beginning 1995 January 1, until the final resolution/accounting of all outstanding legal issues or until completion of the project warranty period, whichever occurs later; and,
 - (b) That the capitalization charge amounts indicated in (a) (iii) above be reported to the Capital Budget Sub-Committee by the Property Department on a quarterly basis; and,
 - (c) That the City Treasurer be requested to recommend the appropriate method of financing for the charges indicated in (a) above.

13. (a) That an estimated amount of \$26,209.53 for Architectural Division staff time for the period 1994 July 1, to 1994 December 31, as outlined in the letter of 1994 December 21 from D.W. Vyce, Director of Property be charged to Account Centre No. CF 709141006; and,
- (b) That the original gross cost of the project - Replace Hamilton Tennis Building Account Centre No. CF 709141006 be revised by \$34,180. from \$604,280. to \$638,460. to accommodate the above charges along with an overdraft of \$7,963.08 as of 1994 November 30, and \$34,180. be financed from the Reserve for Capital Projects Account Centre No. CH 00203; and,
- (c) That an undetermined amount for the period beginning 1995 January 1 until the final resolution be charged to the Property Department's Architectural Division's current budget.
14. That leave be granted to introduce the following Bills:
- (a) D-9 A By-law to Amend By-law No. 94-095 regarding 1994 Debenture Projects and Amounts.
- (b) D-10 A By-law to Authorize the Temporary borrowing of Monies to meet Current Expenditures pending receipt of Current Revenues.
- (c) D-11 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (d) D-12 A By-Law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully Submitted,

**ALDERMAN B. CHARTERS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1995 January 24**

1995 January 31

Appendix "A" referred
to in Section 2 of the
THIRD Report of the
Finance and Administration
Committee for 1995.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Everett Brown	I	Foreman II (F-1)	Public Works	Replacing Mr. J. McShane - promoted, March 14/94 Mr. D. Duncan - retired Dec. 31/94	\$38,074.40 to \$43,763.20	Sept. 30/94
Mr. Charlie Gibbs	I	Superintendent, Streets & Sanitation (I)	Public Works	Replacing Mr. D. Duncan - retired Dec. 31/94	\$56,217.72 to \$66,242.28	Nov. 01/94
Mr. Stan Weir	I	Dispatcher (12-H)	Clerk's	Replacing Mr. R. Dawson - retired Dec. 31/94	\$33,176.00 to \$36,308.48	Jan. 02/95

Prepared January 13/95

Status	
Internal	- 1
External	- 0

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Gerry Forbes	Traffic Operations Engineer	Traffic	Terminated	5 years, 5 months	Dec. 30/94
Mr. Sam Licola	Labourer (Cemeteries)	Public Works	Deceased	15 years, 8 months	Dec. 29/94

Prepared January 13/94

Glossary of Terms

Terminated - long term disability

- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

1995 January 31

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTH** Report for 1995 and respectfully recommends:

1. That Mr. Ross Fair be appointed as Director of Culture and Recreation, effective 1995 February 27, within Salary Schedule "C" of the City's Non Union Compensation Plan, and that the Commissioner of Human Resources be authorized to conclude negotiations for an Employment Contract under the terms and conditions agreed to.

Respectfully Submitted,

**ALDERMAN B. CHARTERS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder
Secretary
1995 January 31

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **SECOND** Report for 1995 and respectfully recommends:

1. That the following persons be appointed to serve on the **Canadian Football Hall of Fame and Museum Management Committee** for a term to expire 1997 November 30:
 - (a) Paul Curle
 - (b) Margaret (Peggy) Knill
 - (c) Laura Peddle
 - (d) Mario G. Vespa
2. That the following persons be appointed to serve on the **City of Hamilton Licensing Committee** for a term to expire 1997 November 30:
 - (a) Arthur James Child
 - (b) J. R. (Jack) Jones
3. That the following persons be appointed to serve on the **Committee of Adjustment** for a term to become effective 1995 February 02 and to expire 1997 November 30:
 - (a) Earl W. Begg
 - (b) Richard Neil Cutler
 - (c) Mark A. Dudzic
 - (d) Bruce S. Law
 - (e) David Serwatuk
4. (a) That the following persons be appointed to serve on the **Hamilton Civic Hospitals Board of Directors** for a term to expire 1998 December 31:
 - (i) Ram Kamath
 - (ii) Glen Randall

(b) That the following person be appointed to serve on the **Hamilton Civic Hospitals Board of Directors** for a term to expire 1995 December 31 (filling vacancy created by P. Mongeon):

(i) Joyce Caygill

(c) That the following nominees of the **Hamilton Civic Hospitals Foundation** be appointed for a term to expire 1998 December 31:

(i) Dr. Iain Stewart

(ii) Chester Waxman

(d) That the following nominee of the **Hamilton Civic Hospitals Foundation** be appointed for a term to expire 1996 December 31 (filling vacancy created by J. Skirving):

(i) Christine E. Silverberg

5. That the following persons be appointed to serve on the **Hamilton Entertainment and Convention Facilities Inc.** for a term to expire 1997 December 31:

(a) S. Jasper Kujavsky

(b) Soheil (Sonny) Monzavi

(c) John Nelson

6. That the following person be appointed to serve on the **Hamilton Hydro Electric Commission** for a term to expire 1998 January 31:

(a) Robert L. Misener

7. That the following persons be recommended to Regional Council for appointment to serve on the **Hamilton Region Conservation Authority** for a term to expire 1997 November 30:

(a) John Burns

(b) Mark Milligan

(c) Marie Smith

(d) Alan Stacey

8. That the following persons be recommended to Regional Council for appointment to serve on the **Land Division Committee** for a term to expire 1997 November 30:
- (a) Lou Lanza
 - (b) Donna M. Madden
 - (c) Carlo Silvestri
9. (a) That the following persons be appointed to serve on the **Public Library Board** for a term to become effective 1995 February 02 and to expire 1997 November 30:
- (i) Peter Burns
 - (ii) Trudi Down
 - (iii) Doug Faraway
 - (iv) Peter R. Mitchell
 - (v) D. (Manohar) R. Ogale
 - (vi) Peter Rogers
- (b) That the following nominee of the Hamilton Wentworth Roman Catholic Separate School Board be appointed to the **Public Library Board** for a term to become effective 1995 February 02 and to expire 1997 November 30:
- (i) Vincent Curtis
- (c) That the following nominees of the Hamilton Board of Education be appointed to the **Public Library Board** for a term to become effective 1995 February 02 and to expire 1997 November 30:
- (i) Ram Mulki Kamath
 - (ii) Archie J. McQueen

Respectfully submitted,

Mayor R. M. Morrow, Chairman,
Nominating Committee

URBAN/MUNICIPAL
CAY ON HBL AOS
M21
1995

1995 February 14

Minutes of Hamilton City Council
Tuesday, 1995 February 14
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor R. M. Morrow
Aldermen Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino,
Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Absent: Alderman Caplan - vacation

Mayor R. M. Morrow called the meeting to order.

URBAN MUNICIPAL

FEB 20 1995

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The National Anthem was sung by Meaghan Curran.

GOVERNMENT DOCUMENTS

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Pastor Jacques Fortin, Notre Dame Perpetual Secours Church led Council in prayer.

PROCLAMATION

Mayor R. Morrow proclaimed February 15th as Canadian National Flag Day.

ADOPTION OF MINUTES

The minutes of the meeting held 1995 January 31 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1995 February 9 from Stanlow Holdings Ltd. and Steinnagel Construction Ltd., (Arno Steinnagel) and Robert Shelley Construction Ltd., (Robert Shelley) for changes in zoning from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District for Block "1", "R-4" (Small Lot Single-Family Dwelling) District for Block "2", and "C" (Urban Protected Residential, etc.) District for Block "3", for lands located at the rear of No. 50 Miles Road, Hamilton, Ontario.

Received.

2. Application dated 1995 February 1 from P. Hatzoglou, P. Zourntos, J. Zourntos, A. Tuite, P. Mancini for a change in zoning from "G-4" (Designated Neighbourhood Shopping Area) District, modified to "HH" (Restricted Community Shopping and Commercial) District, modified, for lands located at No. 30 Rymal Road East, Hamilton, Ontario.

Received.

3. Application dated 1995 February 1 from 603976 Ontario Ltd. (Dan Valentini) c/o Terra Homes, Hamilton, Ontario for removal of the "H" Holding Provision from the "C" (Urban Protected Residential, etc.) District for lands located in the area east of Upper James Street and north of Chipman Avenue, Hamilton, Ontario.

Received.

4. Letter dated 1995 February 9 from Mr. Gerald Cunningham, 1 Fairholt Road North, Apartment 4, Hamilton, Ontario appealing the decision of the Licensing Committee with respect to his denial of a cab drivers licence.

Received.

5. Letter dated 1995 February 13 from the Regional Clerk's Office advising of the establishment of a Constituent Assembly on the Municipal Government System in Hamilton-Wentworth and requesting the City as one of the six area municipalities to nominate a citizen for membership.

Referred to the Finance and Administration Committee.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, and the City of Hamilton Licensing Committee be considered in Committee of the Whole with Alderman Eisenberger in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - THIRD REPORT

Section 2 Re: Parking Permits - Webber Avenue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - SIXTH REPORT

Section 4 Re: Ontario Home Renewal Program Fund

It was moved by Alderman Agostino and seconded by Alderman Drury that Section 4 of the Sixth Report of the Planning and Development Committee be amended by adding the following as sub-section (d):

- (d) That City Council review its position on this matter in three months time and that a report be sent to the May 3rd Planning and Development Committee meeting concerning the status of the account. **CARRIED.**

Recorded vote on amendment.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Kiss. -1. **CARRIED.**

* * * * *

Section 4 as amended Re: Ontario Home Renewal Program Fund

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Copps, Wilson. -3. **CARRIED.**

* * * * *

Section 11 Re: American Planning Association/Canadian Institute of Planners Joint Annual Conference - Toronto, Ontario

It was moved by Alderman Drury and seconded by Alderman D'Amico that the following be added as Section 11 of the Sixth Report of the Planning and Development Committee for 1995:

11. That the Chairperson of the Planning and Development Committee, or his designate, be authorized to attend the American Planning Association/Canadian Institute of Planners Joint Annual Conference to take place on 1995 April 8 to April 12 in Toronto, Ontario; and that costs for attendance be charged to Account No. CH55201-10010 (Legislative Travel). **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - FIFTH REPORT

Section 9 Re: Development Charges By-law - Public Meeting

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to allow consideration of a recommendation respecting authorization to hold a Public Meeting on the new Development Charges By-law. **CARRIED.**

Section 9 Re: Development Charges By-law - Public Meeting

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 9 of the Fifth Report of the Finance and Administration Committee for 1995:

9. (a) That City Council hold a public meeting on 1995 March 9 respecting a new Development Charges By-law; and,
- (b) That the City Clerk be authorized and directed to give notice of the Public Meeting for the purpose of a new Development Charges By-law. The notice shall be in accordance with Section 8 of Ontario Regulations 725/89 made under the Development Charges Act, 1989. **CARRIED.**

CITY OF HAMILTON LICENSING COMMITTEE - FIRST REPORT

RECONSIDERATION OF A RESOLUTION

(resolution from 1995 January 31 - Nominating Committee)

It was moved by Alderman Wilson and seconded by Alderman Merling that Section 6 of the Second Report of the Nominating Committee respecting the appointment of members to the Hamilton Hydro Electric Commission, adopted by City Council on 1995 January 31, be reconsidered. **CARRIED.**

It was moved by Alderman Wilson and seconded by Alderman Merling that Section 6 of the Second Report for 1995 of the Nominating Committee respecting the appointment of Mr. Robert L. Misener to the Hamilton Hydro Electric Commission be amended by deleting the words "1998 January 31" and inserting in lieu thereof the words "1997 January 31".

RESOLUTIONS

It was moved by Alderman Ross and seconded by Alderman D'Amico that Rule 8 of the City's Procedural By-law be invoked in order to allow consideration of a resolution extending congratulations to the new Governor-General, and inviting him to visit the City of Hamilton

It was moved by Alderman Ross and seconded by Alderman D'Amico

- (a) That the City of Hamilton extend its heartfelt congratulations and loyalty to our new Governor-General - His Excellency The Right Honourable Romeo Leblanc; and,
- (b) Further, that the Governor-General be invited to visit Hamilton at his earliest convenience. **CARRIED.**

* * * * *

It was moved by Mayor Morrow and seconded by Alderman Agostino that Rule No. 8 of the City's Procedural By-law be invoked in order to allow consideration of a resolution respecting the hosting of a dinner for the G7 Environment Ministers. **CARRIED.**

It was moved by Mayor Morrow and seconded by Alderman Agostino that the Council very warmly invite the Honourable Sheila Copps to host a dinner in the Dundurn Castle Dining Room for the G7 Environment Ministers during their historic meetings in Hamilton in April of 1995.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -11.

NAYS: Aldermen McCulloch, Drury, Morelli, Wilson. -4. **CARRIED.**

It was moved by Alderman Ross and seconded by Alderman Eisenberger that Rule No. 8 of the City's Procedural By-law be invoked to allow consideration of a resolution respecting the closing of the Mount Hope Weather Station. **CARRIED.**

It was moved by Alderman Ross and seconded by Alderman D'Amico that City Council petition the Federal Government to reconsider the closing of the Mount Hope Weather Office. **CARRIED.**

NOTICES OF MOTION FROM PREVIOUS MEETING

Alderman H. Merling - Planning Services

Alderman V. Agro - Annexation

Mayor R. Morrow - Region Wide Tax Base

It was moved by Alderman Agro and seconded by Alderman Copps

"WHEREAS the City of Hamilton is surrounded by the Area Municipalities of Stoney Creek, Glanbrook, Ancaster, Dundas and Flamborough, and

WHEREAS the City of Hamilton has no room whatsoever in which to grow, and is virtually boxed-in by these five area municipalities, and

WHEREAS these five municipalities continue to grow and expand with the eventual result of creating 6 competing area municipalities for this region and that this divisiveness will not only be counterproductive, but will result in a serious dilution of the effectiveness of this region, and

WHEREAS it is critical that the Hamilton Area be allowed to grow and prosper in order to compete with other cities during these increasingly competitive times,

THEREFORE be it resolved that staff investigate the "feasibility of" and the "procedures involved" to annex both Glanbrook and Flamborough".

Recorded vote.

YEAS: Aldermen Agro, Copps. -2.

NAYS: Aldermen Kiss, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. - 10. **LOST.**

* * * * *

It was moved by Alderman Merling and seconded by Alderman Anderson:

"That the arrangement with the Region of Hamilton-Wentworth for the City's planning service, as it currently exists, be discontinued.

That the City of Hamilton provide its own planning and related development services directly.

That staff, under the direction of the Chief Administrative Officer, submit the appropriate implementation plan for the direct service provision, minimizing any negative impact on the current employees and the budget of both corporations, for the March meeting of the Planning and Development Committee."

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Copps, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -12.

NAYS: Aldermen Wilson, Eisenberger, Ross. -3.

CARRIED.

* * * * *

It was moved by Mayor Morrow and seconded by Alderman Agostino that the City of Hamilton seek to create a single region-wide tax base in the Regional Municipality of Hamilton-Wentworth. This is deemed to be of absolute necessity for the City itself and of equal benefit to all parts of the Region.

NOTICES OF MOTION

Alderman Wilson gave notice that he would move at the next regular meeting of City Council the following motion:

"That any member of City Council who seeks election to higher office be required to resign their seat once they are officially nominated as a candidate".

* * * * *

Mayor Morrow gave notice that he would move at the next meeting of City Council a motion respecting the City of Hamilton seek entrance to the GTA.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, and the City of Hamilton Licensing Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

BILLS

It was moved by Alderman Kiss and seconded by Alderman Copps that the following Bills be read a first time:

A-15, A-16.
C-12, C-13, C-14, C-15, C-16, C-17, C-18, C-19.
D-13, D-14, D-15.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that Council move into Committee of the Whole to consider the following Bills, with Alderman Eisenberger in the chair. (second reading).

A-15, A-16.
C-12, C-13, C-14, C-15, C-16, C-17, C-18, C-19.
D-13, D-14, D-15.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: -0.

CARRIED.

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Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the following Bills, be adopted:

A-15, A-16.
C-12, C-13, C-14, C-15, C-16, C-17, C-18, C-19.
D-13, D-14, D-15.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: -0.

CARRIED.

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It was moved by Alderman Kiss and seconded by Alderman Copps that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-15, A-16.
C-12, C-13, C-14, C-15, C-16, C-17, C-18, C-19.
D-13, D-14, D-15.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: -0.

CARRIED.

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City Council then adjourned at 10:40 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz, City Clerk
1995 February 14

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **THIRD** Report for 1995 and respectfully recommends:

1. (a) That the City Clerk be directed to write to the Corporate Headquarters for Pizza Pizza and express the City's concerns respecting the "30 minutes or free" delivery policy time; and,

(b) That the Hamilton-Wentworth Regional Police Department be requested to report back on the feasibility of increasing the level of traffic enforcement throughout the City.
2. (a) That one of the parking permits presently assigned to the residential property at No. 30 Webber Avenue be rescinded; and,

(b) That one of the parking permits presently assigned to the residential property at No. 28 Webber Avenue be rescinded; and,

(c) That two parking permits be made available to the residents at No. 10 Webber Avenue.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

3. (a) That a "No Parking" regulation be implemented on the north side of Royal Avenue between Bowman Street and Stroud Road; and,

(b) That the existing "No Parking" regulation on the south side of Royal Avenue between Bowman Street and Winston Place/Wilmont Court be shortened such that the regulation commences at Bowman Street and extends to a point 40 feet easterly therefrom; and,

(c) That the City Traffic By-law 89-72 be amended accordingly.

4. That the existing "No Parking" regulation on the east side and the existing metered parking on the west side of Park Street North between York Boulevard and Vine Street be switched to the opposite sides of the street in this block and that the City Traffic By-law 89-72 be amended accordingly.
5. That the existing "No Parking - Loading Zone" on the east side of Barons Avenue North which commences 16 feet south of Britannia Avenue and extends to a point 20 feet southerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.
6. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the east side of East 24th Street, which commences at Crockett Street and extends to the south property line of No. 101 East 24th Street be revised such that the regulation extends to the north property line of No. 101 East 24th Street, and that the City Traffic By-law 89-72 be amended accordingly.
7. That the existing "Commercial Vehicle Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Homewood Avenue commencing at a point 90 feet west of Dundurn Street South and extending to a point 47 feet westerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.
8. That the City Traffic By-law 89-72 be amended to allow for the installation of one additional parking meter on the west side of East 23rd Street immediately south of Fennell Avenue East.
9. That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of Springside Drive be extended 40 feet northerly such that it commences 800 feet south of the south curb line of Lister Avenue and extends 90 feet southerly and that the City Traffic By-law 89-72 be amended accordingly.
10. That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Albright Road commencing at a point 379 feet west of the west curb line of Mt. Albion Road and extending 25 feet westerly and that the City Traffic By-law 89-72 be amended accordingly.
11. That the existing "No Parking" regulation on the east side of Mountwood Avenue which commences at a point 54 feet south of Louisa Avenue and extends to a point 73 feet southerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.

12. That a "Wheelchair Loading Zone, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the north side of Young Street commencing at a point 71 feet east of James Street South and extending to a point 28 feet easterly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
13.
 - (a) That eastbound traffic on Benvenuto Crescent (north leg) be required to stop for northbound and southbound traffic on Claudette Gate; and,
 - (b) That eastbound traffic on Philomena Drive be required to stop for northbound and southbound traffic on Alfrin Court; and,
 - (c) That eastbound traffic on Danson Drive be required to stop for northbound and southbound traffic on Spadara Drive; and,
 - (d) That westbound traffic on Danson Drive be required to stop for northbound and southbound traffic on Donnici Drive; and,
 - (e) That the City Traffic By-law 89-72 be amended accordingly.
14. That eastbound traffic on both the north and south legs of Garden Crescent be required to stop for northbound and southbound traffic on East 24th Street and that the City Traffic By-law 89-72 be amended accordingly.
15. That all-way stop control be implemented at the intersection of Acadia Drive and Butler Drive and that the City Traffic By-law 89-72 be amended accordingly.
16.
 - (a) That the submitted schedule of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in:

"ORCHARD PARK ESTATES - PHASE 4", Hamilton

City's Share \$18,843. Owner's Share - \$179,804.

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Orchard Park Estates - Phase 4", Hamilton as well as any other related documents required for this development subject to the approval of the City Solicitor; and,
 - (c) That approval to the above-noted clauses be subject to the condition that no work be commenced until the final plans and subdivision agreements have been registered; and,

- (d) That in the event the Owners wish to proceed prior to the registration of the Final Plans and Subdivision Agreements, they should be allowed to do so at the own risk provided they enter into a standard agreement with the City of Hamilton for Pre-Servicing; and,
 - (e) That the City's share of services in "Orchard Park Estates - Phase 4", Hamilton (\$18,843.) be approved and that the Finance and Administration Committee recommend the source of funding.
17. That the applications to retain inadvertent encroachments at the locations as outlined on Appendix "A", attached hereto, be approved provided:
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the first year fees and subsequent annual fees outlined in Appendix "A" be set for the encroachments.
18. That a purchase order be issued to Sentinel Pole and Traffic Equipment Ltd., Mississauga, Ontario; for an amount of up to a maximum of \$71,000., for the supply and delivery of traffic poles, hardware and traffic signal arms as and when required during 1995 by the Traffic Department, being the lowest of five bids received and being in accordance with the specifications issued by the Manager of Purchasing Vendor's tender, and that this expenditure be financed through the Traffic Signs Materials Account No. CH56154 75999.
19. That a purchase order be issued to Guild Electric Limited, Scarborough, Ontario; for an amount of up to a maximum of \$95,000., for the supply and delivery of sign blanks as and when required during 1995 by the Traffic Department, as per attached prices, being the lowest of four bids received and being in accordance with the specifications issued by the Manager of Purchasing Vendor's tender, and that this expenditure be financed through the Traffic Signs Materials Account No. CH56154 75999.
20. That leave be granted to introduce the following Bills:
- (a) A-15 A By-law to Amend By-law No. 89-72 to Regulate Traffic

(b) A-16 A By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson
Secretary**

1995 February 6

Appendix "A" as referred to in
Section 17 of the THIRD Report
of the Transport and Environment
Committee for 1995

<u>Location</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/Annual</u>	<u>File Number</u>
167 Hess Street South	C.A. DeMatteo	Stoop measuring 0.60m x 1.83m Ties and Planter 0.69m x 7.68m	134/20.	T103 50 (1079)
24 East Bend Avenue North	O. Hall	Steps measuring 0.3m x 1.10m	138/20.	T103 50 (1138)
499 John Street North	G. & N. Sterling	Porch measuring 0.18m x 4.12m	138/20.	T103 50 (1137)
137 Peter Street	J. Bennett	Porch measuring 0.21m x 5.33m Steps measuring 0.90m x 1.21m	138/30.	T103 50 (1135)
46 Fraser Avenue	Chau/Nguyen	Portion of Building measuring 0.52m x 6.85m	138/20.	T103 50 (1144)
146 Burris Street	M. Anderson and S. Thomas	Steps Measuring 0.51m x 1.82m	138/20.	T103 50 (1140)

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SIXTH** Report for 1995 and respectfully recommends:

1. A. That approval be given to Zoning Application ZAC-94-29, J. and C. Martin and The City of Hamilton, owners, for changes in zoning from "B" (Suburban Agriculture and Residential, etc.) District to "B-2" (Suburban Residential) District, for Block "1", and to "B-2" (Suburban Residential) District, modified, for Block "2", and from "AA" (Agricultural) District to "B-2" (Suburban Residential) District, modified, for Block "3", to permit development of the subject lands for seven large lot single-family dwellings, for lands located at the south-east corner of Stone Church Road East and Diconzo Drive, as shown on the attached map, marked as Appendix "A", on the following basis:
 - (a) That Block "1" be rezoned from "B" (Suburban Agriculture and Residential, etc.) District to "B-2" (Suburban Residential) District; and,
 - (b) That Block "2" be rezoned from "B" (Suburban Agriculture and Residential, etc.) District to "B-2" (Suburban Residential) District, modified; and,
 - (c) That Block "3" be rezoned from "AA" (Agricultural) District to "B-2" (Suburban Residential) District, modified; and,
 - (d) That the "B-2" (Suburban Residential) District regulations as contained in Section 8B. of Zoning By-law No. 6593, applicable to Blocks "2" and "3", be modified to include the following variance as a special requirement:
 - (i) Notwithstanding Section 8B.(4) every lot or tract of land shall have a width of at least 15.0 meters and an area of at least 430 square meters.
 - (e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1339, and that the subject lands on Zoning District Map E-9C be notated S-1339; and,

- (f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9C for presentation to City Council; and,
- (g) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

B. That outstanding charges be paid and the 1'-0" reserve be lifted at the time of issuance of a building permit on an individual basis per lot.

- 2. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearings, respecting properties located at 121 Ivon Avenue and 4 Bala Place (Committee of Adjustment applications A-94:214 and A-94:219, respectively).
- 3. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearing regarding an appeal to the Committee of Adjustment decision to deny Application No. A-94:228, respecting property located at 47 Erie Avenue.
- 4.
 - (a) That the Building Commissioner be authorized and directed to maintain the Ontario Home Renewal Program (O.H.R.P.) Fund of approximately \$4.8 million in a trust account, notwithstanding the request of the Ontario Minister of Housing under amended Regulation 641 of the Housing Development Act, that the City of Hamilton return, by March 1, 1995, the balance of the Ontario Home Renewal Program Trust Fund, and;
 - (b) That the Mayor be authorized and directed to send a letter to the Minister of Housing confirming and explaining the City's position, and;
 - (c) That the City Treasurer be authorized and directed, to re-invest, on 1995 March 1, the O.H.R.P. Trust Fund balance in short-term securities.
 - (d) That City Council review its position on this matter in three months time and that a report be sent to the May 3rd Planning and Development Committee meeting concerning the status of the account. **ADDED.**

Recorded vote on amendment.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Kiss. -1. **CARRIED.**

Section 4 as amended Re: Ontario Home Renewal Program Fund

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 13.

NAYS: Aldermen Kiss, Copps, Wilson. -3.

CARRIED.

5. That the City of Hamilton Accept the lot grading of Lots 1 to 8 inclusive, Eleanor Gardens - Phase 5, Addition, Plan No. 62M-435 and that the subdivider, Amerigo and Anna Cocco, be relieved of any further obligations under Section VIII of the City Subdivision Agreement for Eleanor Gardens - Phase 5, Addition, with respect to the lot grading of Lots 1 to 8 inclusive.
6. That the Mayor and City Clerk be authorized to execute the necessary documents to release the property at 2673 Barton Street East, Hamilton, from the construction covenants to the City as contained in City Deed 198885 A.B. registered on 1971 March 18.
7.
 - (a) That the City of Hamilton renew the lease with the Toronto Area Transit Operating Authority which expired on 1994 July 31, respecting the use of City owned land located on Strachan Street East and James Street North; and,
 - (b) That the new term be for a period of two (2) years commencing 1994 August 1 and expiring 1996 July 31 at a rental rate of \$11,129.58 per year plus realty taxes with monthly payments of \$927.47 due on the first (1st) day of each month and proceeds be credited to Account No. CH 44104 31106 (Rental Civic Property - Civic Properties Rented); and,
 - (c) That in the event the premises are not required for the Industrial Perimeter Road Project, consideration will be given to a further two (2) year extension upon such terms and conditions as the parties may agree; and,
 - (d) That the lease renewal be in a form satisfactory to the City Solicitor; and,
 - (e) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement.

8. That the Building Commissioner be authorized to issue a demolition permit for 158 Rymal Road West in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
9. That the Building Commissioner be authorized to issue a demolition permit for 382 Sherman Avenue North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
10. That leave be granted to introduce the following Bill:
 - C-12 A By-law to amend By-law No. 93-167 respecting Building Permit Fees.
 - C-13 A By-law to amend By-law No. 86-212 as amended by By-laws No. 87-229, 92-057 and 93-023 respecting Members of the Board of Management of the International Village Business Improvement Area.
 - C-14 A By-law to amend By-law No. 86-98 as amended by By-laws No. 92-074, 93-066 and 94-043 respecting Members of the Board of Management of the Westdale Business Improvement Area.
 - C-15 A By-law to amend By-law No. 92-078 respecting Members of the Board of Management of the Main Street West Esplanade Business Improvement Area.
 - C-16 A By-law to amend By-law No. 87-308 as amended by By-laws No. 92-079 and 93-228 respecting Members of the Board of Management of The Barton General Business Improvement Area.
 - C-17 A By-law to amend By-law No. 86-99 as amended by By-laws No. 88-144, 92-056 and 93-022 respecting Members of the Board of Management of the Ottawa Street Business Improvement Area.
 - C-18 A By-law to amend By-law No. 86-73 as amended by By-laws No. 87-148, 92-058, 93-065 and 93-211 respecting Members of the Board of Management of the Downtown Hamilton Business Improvement Area.

C-19

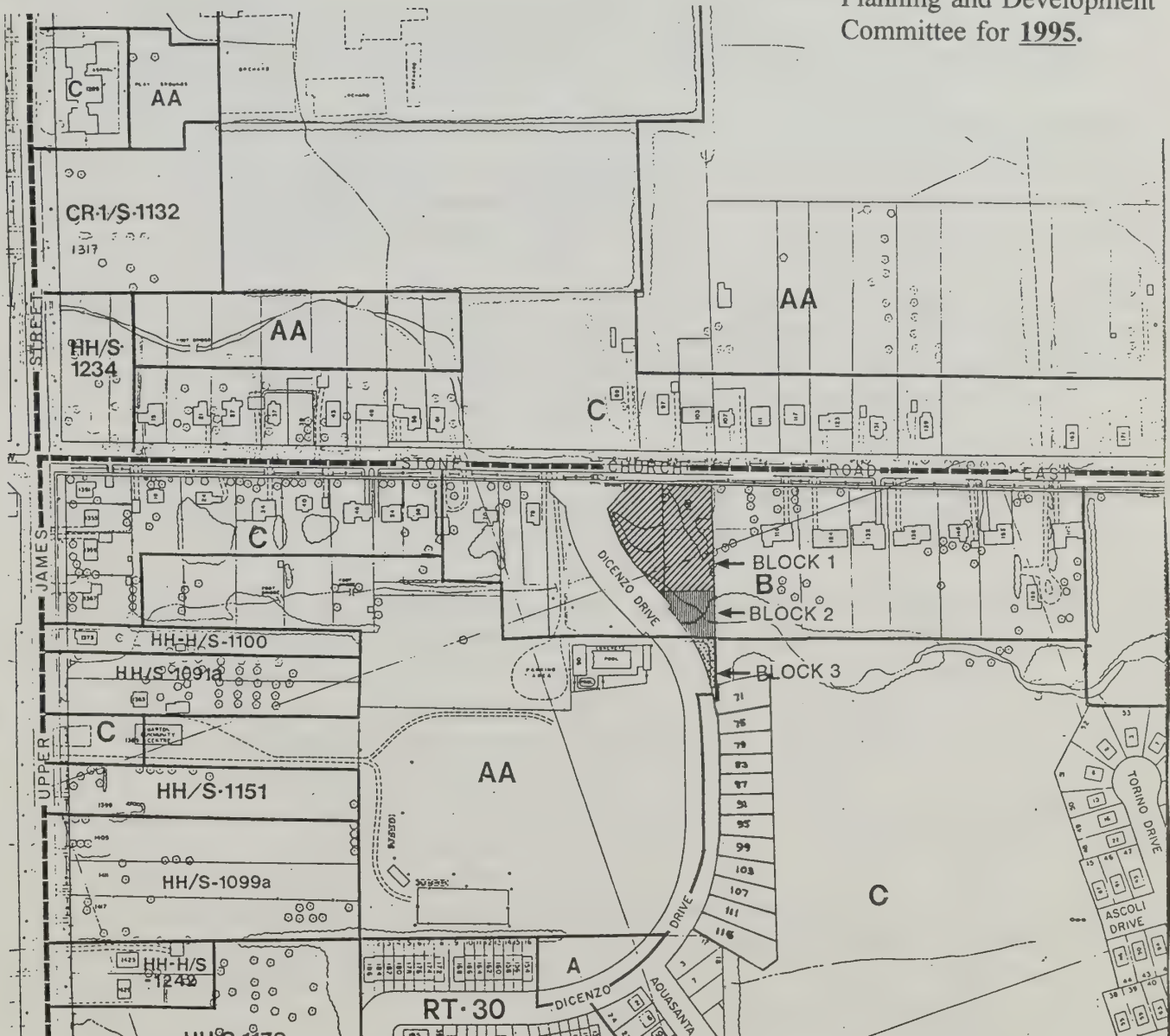
A By-law to amend By-law No. 86-144 respecting Members of the Board of Management of the Concession Street Business Improvement Area.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT
COMMITTEE**

**Stella Glover, Secretary
1995 February 8**

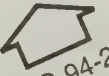
Appendix "A" referred to in Section 1 of the **SIXTH** Report of the Planning and Development Committee for **1995**.



Legend

Proposed change in zoning from:

- | | | |
|---------|---|--|
| BLOCK 1 |  | "B" (Suburban Agriculture and Residential, etc.) District to "B-2" (Suburban Residential) District |
| BLOCK 2 |  | "B" (Suburban Agriculture and Residential, etc.) District to "B-2" (Suburban Residential) District, modified |
| BLOCK 3 |  | "AA" (Agriculture) District to "B-2" (Suburban Residential) District, modified |


ZAC-94-29

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTH** Report for 1995 and respectfully recommends:

1. (a) That approval be given to a request by the Ontario Mundialization Association and the United Nations Association - Hamilton Branch for the use of the Council Chambers on Sunday, 1995 June 4th, between the hours of 1:00 o'clock p.m. to 5:00 o'clock p.m. for a public meeting in commemoration of the 50th Anniversary of the United Nations; and,

(b) That the City Clerk be granted authority to approve a similar use in future years provided it does not interfere with any other activity.
2. (a) That approval be given to the action taken by the City Clerk in authorizing a request by the Canada Centre for Inland Waters, Department of Fisheries and Oceans, Great Lakes Laboratory for Fisheries and Aquatic Sciences program, for the use of the First Floor Lobby in City Hall to exhibit an information display from Tuesday, 1995 February 7 until Friday, 1995 February 24; and,

(b) That the City Clerk be granted authority to approve a similar use in future years provided it does not interfere with any other activity.
3. (a) That approval be given to the action taken by the City Clerk in authorizing the use of the Council Chambers on Monday, 1995 February 13 between the hours of 2:00 o'clock p.m. to 4:00 o'clock p.m. by Dr. Richard Allen, MPP, Hamilton West for a pre-budget consultation with youth; and,

(b) That the City Clerk be granted authority to approve a similar use in future years provided it does not interfere with any other activity.
4. That as referred to in Section 16 of the Third Report for 1995 of the Transport and Environment Committee, the City's share of "Orchard Park Estates - Phase 4" Servicing, at a cost of \$18,843., be financed from Centre No. CH 00107 - "Reserve for Services through Unsubdivided Lands".

5. That the accrued interest on the outstanding realty taxes, in the amount of \$4,975.20, for the property municipally known as 15 Lorraine Drive be written off under Section 441 of The Municipal Act and charged to Tax Writeoffs, Account CH-53401-24106.

6. (a) That the City's policy, which was adopted by City Council on 1988 August 30, for the acceptance of subdivision securities such as Letters of Credit, Term Deposits, Savings Accounts, and Guaranteed Investment Certificates, be revised to include the following provision:

That such securities will be accepted by the City if they are issued by Schedule I Banks, Schedule II Banks with RI Middle/AA rating, and Trust Corporations with RI Middle/AA rating in accordance with the Investment Policy and Cash Management Practices adopted by City Council on 1994 May 31; and,

(b) That the provision regarding interest on subdivision securities held by the City be revised to provide interest on cash received as security at the savings rate of the City's Banker (presently the Canadian Imperial Bank of Commerce).

7. That the principal amount and accrued interest of the following trust funds be transferred to the Hamilton Civic Hospital, effective 1994 December 31:

Babies Dispensary Guild Trust
Margaret McLaren House Scholarship
Hubert Washington Memorial Fund
Elizabeth Heron Trust Fund

8. That leave be granted to introduce the following Bills:

(a) D-13 A By-law to amend Cemeteries By-law No. 8861 respecting Revised Tariff of Charges

(b) D-14 A By-law to Establish Procedures for Sales of Real Property Owned by the City of Hamilton

(c) D-15 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

9. (a) That City Council hold a public meeting on 1995 March 9 respecting a new Development Charges By-law; and,
- (b) That the City Clerk be authorized and directed to give notice of the Public Meeting for the purpose of a new Development Charges By-law. The notice shall be in accordance with Section 8 of Ontario Regulations 725/89 made under the Development Charges Act, 1989. **ADDED.**

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder, Secretary
1995 February 7**

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **FIRST** Report for 1995 and respectfully recommends:

1. That the Cab Driver Licence application of Gerald Cunningham, 819 Beach Blvd., Hamilton, be denied.

Confidential background information provided to members of City Council under separate cover.

RESPECTFULLY SUBMITTED

**ALDERMAN D. WILSON
CHAIRPERSON
LICENSING COMMITTEE**

Crystabelle Fobler
Secretary

1995 February 08

CAY ON HBL AOS
M21
1995

Minutes of Hamilton City Council
Tuesday, 1995 February 28
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

MAR 8 1995

GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor R. M. Morrow
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Agostino, Charters, Jackson, Merling, Anderson, D'Amico.

Absent: Alderman Eisenberger - vacation
Alderman Ross - vacation

Mayor R. M. Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Pastor Ron Sikkema, First Reformed Church led Council in prayer.

PRESENTATIONS

Mr. Mike Szelag, Matthew Szelag and Jerrod Rogers presented Mayor R. Morrow with a presentation of a proclamation to Canada.

* * * * *

Mayor R. Morrow presented City Solicitor, Patrice Noe Johnson with a book on behalf of City Council in appreciation for her role as Interim Director of Culture and Recreation. This was followed by a presentation by J. Pavelka, C.A.O. on behalf of Management Team.

* * * * *

Mayor R. Morrow introduced Ross Fair, the new Director of Culture and Recreation to Members of City Council.

PROCLAMATION

Mayor R. M. Morrow proclaimed "Red Cross Month - March, 1995".

ADOPTION OF MINUTES

The minutes of the meeting held 1995 February 14 were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1995 February 22 from Mr. T. Cooke, Regional Chairman respecting Cities for Climate Protection Campaign.

Referred to the Transport and Environment Committee.

2. Letter dated 1995 February 23 from Ms. Lynda Sohal, Regional Clerk's Office respecting Sewer Laterals - Ownership and Maintenance.

Referred to the Transport and Environment Committee.

3. Letter dated 1995 February 23 from Ms. Lynda Sohal, Regional Clerk's Office respecting Leaf and Yard Waste Management.

Referred to the Transport and Environment Committee.

4. Application dated 1995 February 22 from Thomas S. Loth, Hamilton, Ontario for a modification to the established "C" (Urban Protected Residential, etc.) District for 207 Fairleigh Avenue South, Hamilton, Ontario.

Received.

5. Letter dated 1995 February 21 from the Ministry of Municipal Affairs respecting the Central/Beasley Project Area final payment to the City.

Be Referred to the Planning and Development Committee.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -15.

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - SIXTH REPORT

Section 15 Re: Joint Management Agreement - Hamilton Region Conservation Authority

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Charters, Merling, Anderson. -12.

NAYS: Aldermen Agostino, Jackson, D'Amico. -3.

CARRIED.

PARKS AND RECREATION COMMITTEE - SEVENTH REPORT

Section 1 Re: Bestco Construction Corp - Hamilton Tiger-Cats

It was moved by Alderman Caplan and seconded by Alderman Wilson that Section 1 of the Seventh Report of the Parks and Recreation Committee for 1995 be amended by adding the following as Sub-Section (e):

- "(e) That the contract with Bestco Construction Corp. be cancelled if a suitable lease agreement between the City and the Hamilton Tiger-Cats cannot be finalized by 1995 March 28th."

Recorded vote.

YEAS: Aldermen Kiss, Caplan. -2.

NAYS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -13. **LOST.**

* * * * *

Section 1 Re: Design Build Contract - Ivor Wynne Stadium

It was moved by Alderman Charters and seconded by Alderman Wilson that Section 1 of the Seventh Report of the Parks and Recreation Committee for 1995 be amended so that Section (d) reads as follows:

- "(d) That, if possible, the above activities be completed by 1995 March 8 in order to meet the fast-tracked construction start.

and by adding sub-section (e) as follows:

- "(e) That this contract not be entered into until a suitable lease agreement has been negotiated by the City for Ivor Wynne Stadium."

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Drury, Wilson, Charters, Merling, Anderson, D'Amico. -8.

NAYS: Mayor Morrow, Aldermen Agro, McCulloch, Morelli, Copps, Agostino, Jackson. -7.
CARRIED.

* * * * *

Section 2 Re: Chedoke Ski Hill

Recorded vote.

YEAS: Aldermen Kiss, Caplan, McCulloch, Morelli, Agostino, Jackson, Anderson, D'Amico. -8.

NAYS: Mayor Morrow, Aldermen Drury, Copps, Wilson, Charters, Merling. -6.
CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - SEVENTH REPORT

FINANCE AND ADMINISTRATION COMMITTEE - SIXTH REPORT

Section 6 Re: City Hall Facilities - Women's Centre

It was moved by Alderman Charters and seconded by Alderman Jackson that Sub-section (a) of Section 6 of the Sixth Report for 1995 of the Finance and Administration Committee concerning the use of City Hall facilities by the Women's Centre be amended to delete the date "April 30th" and insert in lieu thereof the date "May 7th".
CARRIED.

NOMINATING COMMITTEE - THIRD REPORT

Section 1 Re: Court of Revision - Citizen appointments

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Merling, Anderson, D'Amico. -14.

NAYS: Alderman Jackson. -1.

CARRIED.

RESOLUTIONS

Re: City representative of the Single Tier Bureaucracy Review Steering Committee

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 8 of the City's Procedural By-law be invoked for this meeting of City Council in order to consider a motion respecting the addition of a City Council representative to serve on the Single Tier Bureaucracy Review Steering Committee. **CARRIED.**

It was moved by Alderman Charters and seconded by Alderman Jackson that Alderman G. Copps be appointed to serve as a City representative on the Single Tier Bureaucracy Review Steering Committee. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

ACTING MAYOR FOR THE MONTH OF MARCH, 1995

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman T. Jackson be Acting Mayor for the Month of March, 1995.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

BILLS

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills be read a first time:

D-16, D-17.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the following Bills, with Alderman Morelli in the chair. (second reading).

D-16 and D-17.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson. -14.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the following Bills, be adopted:

D-16 and D-17.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

D-16 and D-17.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:20 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

S. G. Hollowell, Acting City Clerk
1995 February 28

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **SIXTH** Report for 1995 and respectfully recommends:

1. (a) That an Agreement for Temporary Use of City Lands, being part of 1120 Beach Boulevard, executed by St. Lawrence Cement Inc. (Dufferin Construction Company), on 1995 January 26, for the sole purpose of the placement of three (3) construction trailers and equipment required in connection to the sanitary sewer and watermain reconstruction on Beach Boulevard for the period to extend from 1994 November 16 to 1995 August 31, be approved; and,

(b) That the Mayor and the City Clerk be authorized and directed to execute the necessary documents.
2. (a) That the current contract position of "Co-ordinator of Food Services" within the Department of Culture and Recreation, be extended for up to six months; and,

(b) That the City Solicitor be authorized to make the necessary changes to the existing contract.
3. That approval, as required by Section 26 of the Fireworks By-law No. 90-198, be given to the Greenhill Co-operative Corporation to hold a Fireworks Display on City property located at Quigley Road and Greenhill Avenue on 1995 May 22, raindate 1995 May 28, subject to the following terms and conditions:
 - (a) That Greenhill Co-operative Corporation use a qualified Fireworks Supervisor to light the fireworks display; and,
 - (b) That proof of \$5 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton at least 20 days prior to 1995 May 22; and,
 - (c) That Greenhill Co-operative Corporation comply with all Sections of By-law No. 90-198; and,

- (d) That the Greenhill Co-operative Corporation agree to indemnify the Corporation of the City of Hamilton for any bodily injury or property damage caused by the fireworks display.
- 4. That permission be granted to waive the rental fees for the Hamilton Seniors Games, Shuffleboard Tournament to be held 1995 May 27 at Coronation Arena.
- 5. That permission be granted to charge green fees on a buy 3 get 1 free basis for the Hamilton Seniors Games District Golf Tournament to be held on 1995 May 17 at Chedoke Golf Course (Martin).
- 6. That the City through the Department of Culture and Recreation apply for a grant under the Ontario Training and Adjustment Board - Social Services Employment Program for a part-time student assistant at the Hamilton Museum of Steam and Technology.
- 7. That two black and white steel engravings (Accession numbers M1976.37.1 and M1976.48.1) depicting Napoleonic War scenes be deaccessioned and offered in trade for a colour lithograph of the Battle of Queenston Heights.
- 8. That approval, as required by Section 20 (1) of the Parks By-law 77-221, be given to Terry Veevers to operate carriage rides on the evening of 1995 April 7 for the participants in the Dofasco educational programme subject to the following terms and conditions:
 - (a) That proof of \$2 million Comprehensive General Liability Insurance for Property damage and Bodily Injury to be submitted, naming the Corporation of the City of Hamilton as co-insured; and,
 - (b) That the applicant assume responsibility for all labour charges associated with the event.
- 9. That approval, as required by Sections 5 (b) and Section 11 (a) of the Parks By-Law 77-221, be given to Mr. Tom Anderson to barbecue and sell food and beverages during the Golden Horseshoe Live Steamer Days (1995 May 28, June 18, July 1, August 20, September 24, October 15) at the Hamilton Museum of Steam and Technology.
 - (a) That the applicant assume responsibility for clean-up and any damages to the grounds; and,
 - (b) That as agreed a donation of \$.25 per non-beverage sale be given to the Hamilton Museum of Steam and Technology and the Golden Horseshoe Live Steamers; and,

- (c) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City.
10. That approval, as required by Sections 5 (b) and Section 11 (a) of the Parks By-Law 77-221, be given to the Stoney Creek Lions Club to barbecue and sell food and beverages for the Annual Antique Steam and Gas Engine Show at the Hamilton Museum of Steam and Technology - 1995 July 22, and July 23, subject to the following terms and conditions:
- (a) That the applicant assume responsibility for clean-up and any damages to the grounds; and,
 - (b) That proceeds from food and beverage sales be used towards the volunteer appreciation barbecue; and,
 - (c) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City.
11. (a) That a contract, satisfactory to the City Solicitor, be entered into with Taylor/Hazell Architects Ltd., in the amount of \$214,600. to provide architectural and consulting services for the second phase of the Dundurn Castle Restoration Project to be financed through Capital Account No. CF719441022; and,
- (b) That the restoration budget for the project as outlined in Appendix "A" (i) and (ii), be approved.
12. That permission be granted to the International Police Diver Symposium to use Pier 4 Park to view static displays and open-water exercises and demonstrations to be staged 1995 September 16 subject to the following conditions:
- (a) That proof of the following insurance be provided and submitted thirty (30) days prior to the event, indicating the City as the additional insured, subject to a cross liability clause:
 - i. comprehensive General Liability in the amount of \$5 million per occurrence including various hazards, satisfactory to the City; and,

- ii. owned and Non-Owned Aircraft and Watercraft Liability to a minimum of \$5 million per occurrence; and,
 - iii. tenant Legal Liability in the amount of \$5 million per occurrence; and,
- (b) That all insurance and agreements be acceptable to the City Solicitor; and,
 - (c) That insurance, in the amount of \$5 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross liability, and 30 days notice of cancellation, be provided; and,
 - (d) That the applicant assume responsibility for all labour-related costs as a result of this event, including set-up and cleanup; and,
 - (e) That Special Duty Officers and/or Marine Police as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (f) That the applicant notify and adhere to the regulations of the Hamilton Harbour Commission; and,
 - (g) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team; and,
 - (h) That event organizers adhere to the Public Works/Parks Division Signage Guidelines/specifications for advertising and promoting events; and,
 - (i) That permission be granted from Parks By-law 89-74, to allow the landing of an aircraft in Pier 4 Park 1995 September 16.
13. (a) That the following subsidized hourly ice rental rates be increased by \$10. effective 1995 October 10:

	<u>1994 Current</u>	<u>1995 Proposed</u>
Minor Sports - Recreation	\$35.	\$45.
Minor Sports - Reps Select	\$50.	\$60.
Minor Sports - Hub	\$43.	\$53.

- (b) That upon completion and receipt of the User Fee Study, staff be instructed to report back to the Parks and Recreation Committee with a three year plan for all Rates and Fees with respect to ice hockey and arena operations and to incorporate the information and recommendations therein provided; and,

- (c) That the criteria attached hereto as Appendix "B". be adopted for the basis of granting subsidized rates within civic arenas; and,
 - (d) That staff be directed to begin work on developing an Ice Allocation Policy and that this Policy be brought back to the Parks and Recreation Committee and City Council for consideration and approval.
14. That a purchase order be issued to Parson's Precast Inc., Hamilton, to supply and install various size grave crypts (liners) on a twenty-four (24) hour notice for Hamilton Cemeteries for a three year period: 1995, 1996, 1997 in accordance with the specification issued by the Purchasing Department.
15. (a) That the terms of the Joint Management Agreement between the City of Hamilton and the Hamilton Region Conservation Authority respecting Red Hill Creek Valley remediation works and attached as Appendix "C", be approved; and,
- (b) That the Mayor be authorized to sign the Joint Management Agreement in conjunction with the Chairman of the Hamilton Region Conservation Authority for the purposes of facilitating the commencement of the remediation work and establishing the parameters for undertaking this joint project; and,
- (c) That the Director of Public Works be authorized to pursue with various volunteer organizations such as but not limited to the Hamilton Naturalist Club, the Conserver Society, Bruce Trail Association, and the Friends of the Red Hill Valley, options for the consideration of the Parks and Recreation Committee, to include volunteers in the long term maintenance of the remediation works such that City of Hamilton maintenance costs are minimized; and,
- (d) That the Director of the Public Works Department be authorized to establish current budget implications associated with providing maintenance services for the remediation works undertaken by the City, not including the World Biosphere Interpretive Centre component, and to represent required funding levels in the Parks Division current budget base commencing June 1, 1996 as part of the 1996 budget deliberations; and,
- (e) That Alderman D. Wilson and Alderman D. Ross be named to serve on each of two Advisory Committees as represented on Appendix "D" forming part of the Joint Management Agreement.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Charters, Merling, Anderson. -12.

NAYS: Aldermen Agostino, Jackson, D'Amico. -3.

CARRIED.

16. (a) That the daily responsibilities for maintenance of greens, ornamental beds and surrounding lawn areas at the Roselawn, Churchill, Mount Hamilton and Fernleigh Lawn Bowling Clubs be transferred to the executive board of each facility on a trial basis for the 1995 season; and,
- (b) That funds be transferred from Public Works - Parks Division, Facilities Section, Operating Budgets Account CH51401 62130 to each lawn bowling club to be used to retain their own staff during this period; and,
- (c) That the proposed program be evaluated at the conclusion of 1995, by the Lawn Bowling Task Force for the purpose of recommending a 1996 maintenance strategy for consideration of the Parks and Recreation Committee; and,
- (d) That the City Treasurer be authorized to transfer amounts totalling \$10,000. to Roselawn Lawn Bowling Club, \$10,000. to Churchill Lawn Bowling Club, \$6,000. to Fernleigh Lawn Bowling Club and \$6,000. to Mount Hamilton Lawn Bowling Club in two instalments payable on 1995 April 1 and 1995 June 1.
17. That staff be directed to negotiate an agreement with Mr. David Richter, President, Bay King Motors, for the use of Ivor Wynne Stadium as the site for a four day automotive show and sale.
18. (a) That nine (9) trees at Parkdale Arena be removed/replaced or relocated to allow for additions to the Arena. If relocation of existing trees is not possible, these trees to be replaced with trees as large as possible to that of the original at a future location; and,
- (b) That four (4) trees at Inch Park Arena be removed/replaced or relocated to allow for additions to the Arena. If relocation of existing trees is not possible, these trees to be replaced with trees as large as possible to that of the original at a future location; and,

- (c) That the funds for replacement or relocation of the trees, together with associated work, be obtained from the project accounts for these projects previously approved by City Council.
19. That the Director of the Culture and Recreation Department be authorized to issue four (4) 1995 annual golf passes to the members of the Executive of the Chedoke Golf Club and four (4) 1995 annual golf passes to the members of the Executive of the King's Forest Golf Club.
20. (a) That staff be directed to attempt to negotiate a maximum ten year lease at a fair market value with the owner(s) of Scott-MacDonald Marine with the provision of pedestrian access as per Appendix "E" attached hereto; and,
- (b) That if an agreeable lease agreement, suitable to the City cannot be reached, the present lease agreement be terminated; and,
- (c) That staff be directed to report back on the issue at the next meeting of the Parks and Recreation Committee.

Respectfully Submitted,

**ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson
Secretary**

1995 February 21

Appendix "A" as referred to in
Section 11
of the SIXTH Report of the
Parks and Recreation Committee
for 1995

DUNDURN CASTLE PHASE TWO RESTORATION BUDGET

(i)

REVENUES:

\$1,700,000	City of Hamilton capital budget	
\$ 900,000	jobsOntario (provincial)	
\$ 83,500	Barrier Free Access (City of Hamilton)	
\$ 50,000	Cultural Initiatives Programme (federal)	
\$ 1,000	Section 25, archaeology (federal)	
\$ 40,000	anticipated Museum Assistance Programme, security (federal)*	
\$ 15,000	anticipated private donations*	\$2,789,500

* Work will not be carried out until confirmations of funding.

EXPENDITURES

*please note that due to the nature of restoration work the allocations for various components of construction (ie. masonry vs. stucco) may change due to actual site conditions.

\$1,700,000	masonry, stucco and wood restoration, Castle & Dovecote	
\$ 164,000	restoration and retrofit, Stables	
\$ 460,000	masonry, stucco, wood & foundation restoration, Cockpit	
\$ 40,000	allowance for aviary	
\$ 75,000	contingency	
\$ 5,000	testing	\$2,484,000 construction subtotal
\$ 152,700	Taylor/Hazell Limited fees	
\$ 12,500	Mechanical/electrical engineers	
\$ 20,000	Structural engineers	
\$ 5,000	Security	
\$ 7,000	Quantity surveyor	
\$ 1,200	Landscape consultant	
\$ 10,000	Conservation specialist & testing	
\$ 5,900	Printing	
		\$ 214,600 professional fees subtotal
		(professional and consultant fees to be paid by Taylor Hazell Architects Limited)
\$ 69,800	allowances	
		<u>\$ 69,800 allowances subtotal</u>

Restoration Sub-total	\$2,768,400
GST	<u>193,780</u>
	\$2,962,180
(less refundable GST)	<u>(193,780)</u>
	\$2,768,400
+ project archaeology	<u>21,100</u>
	\$2,789,500

Note: Dundurn is deemed a revenue generating institution therefore GST used for capital improvements is 100% refundable

DEPARTMENT OF CULTURE & RECREATION
 1995 CAPITAL BUDGET APPROPRIATION
 Centre # CF 719441022 Dundurn Castle Restoration - Phase II

(ii)

REVENUE

City of Hamilton	\$1,700,000
Province of Ontario	\$900,000
Federal Govt.	\$50,000
Barrier Free Access	\$83,500
Museum Assistance Program	\$40,000
Private Donations	\$15,000
Other	\$1,000
Total Revenue	\$2,789,500

EXPENDITURES

Construction	\$2,484,000
Professional Fees	\$214,600
Archaeology	\$21,100
Contingency allowance	\$69,800
Total Expenditure	\$2,789,500

Appendix "B" as referred to
in Section 13 of the Sixth
Report of the Parks and
Recreation Committee for 1995

Subsidized Ice Rental Criteria

1. Organizations must be volunteer/non profit.
2. Must be based in Hamilton.
3. Must be recognized by the Department of Culture and Recreation.
4. Must operate its program for local minor aged participants (at least 70% under the age of 18).
5. Organization must have a minimum of 25 members.
6. Organizations must, upon request by the City, provide access to their financial information and provide annual audited financial statements for the preceding fiscal year, together with other pertinent information as to:
 - (i) Proposed budget for the current year
 - (ii) Total number of participants
 - (iii) Program budget including operating costs and revenues
 - (iv) List of registration fees

Appendix "C" as referred to in
Section 15 (a) of the SIXTH
Report of the Parks and
Recreation Committee for 1995

RED HILL VALLEY PROJECTS

Project	January 1/95 to March 31/96
Environmental Cleanup/Remediation of Red Hill Valley:	
General Clean-up of the Valley - Approximately 400 hectares. Concentrate on King Street to the Bay in spring/95; entire Valley during remainder of 95/96. Remove debris, assess options to prevent future dumping and implement these. City/HRCA/Community Groups. City as lead implementing agency.	\$300,000
Environmental Rehabilitation - Pilot project to correct areas of streambank erosion in upper Valley. Engineering, design and construction using bioengineering techniques to provide fish habitat in addition to correcting erosion. City/HRCA/Community Groups. HRCA as lead implementing agency.	\$75,000
Planting/Plantation Management - Tree and shrub planting throughout Valley for habitat improvement and buffers. Native species to be used, including some Carolinian trees, shrubs and wildflowers. Thinning of pine/spruce plantations to initiate change to native, mostly deciduous species of trees. Replanting within plantations where appropriate. City/HRCA. City as lead implementing agency.	\$600,000
Biological Inventory and Monitoring - Complete flora and fauna of entire Valley. Summary of existing information, additional field work in all seasons, recommendations for mitigation. Ongoing monitoring. HRCA as lead implementing agency.	\$75,000
Archaeological Survey - Survey of entire Valley. Summary of existing information, field work, recommendations re. any archaeological digs to salvage artifacts. HRCA as lead implementing agency.	\$60,000
Stream Monitoring and Assessment - Compilation and analysis of existing stream water quality and quantity data. Ongoing monitoring. Examination of storm and combined sewer impacts, leachate from closed landfill sites. Recommendations for mitigation. To be contracted out to consultant. HRCA as lead implementing agency.	\$175,000
Public Participation/Community Input - Public meetings, presentations, exhibits, audio-visual shows, flyers, Valley hikes, etc. HRCA/City. Building rental for interim office and interpretive site. HRCA as lead implementing agency.	\$100,000
Subtotal	\$1,385,000
World Biosphere Interpretive Centre	
Development of Interpretive/Business Plan and Site Selection - The development of techniques to obtain community input, development of business plans, exhibit designs, architectural designs, site selection and initial construction will be contracted out to consultants. Site selection should be an early goal. The process used by consultants will rely on in part, or include, input and participation by the Regional Economic Development Department in a study team, plus the involvement of interest groups. The selection of the site for the Centre or related functions, should they be on CITY land, will be the subject of further agreements.	\$904,000
Development and Preparation of Detailed Exhibit Design - To be contracted out to consultants to develop design of exhibits, building space and site requirements. Preparation of detailed working designs for tender.	
Development of Architectural Design - To be contracted out to consultants to develop design of building and detailed working designs for tender.	
Initial Phase of Construction	
HRCA/City/Region/Community Groups. HRCA will be lead implementing agency in above project components.	
Subtotal	\$904,000

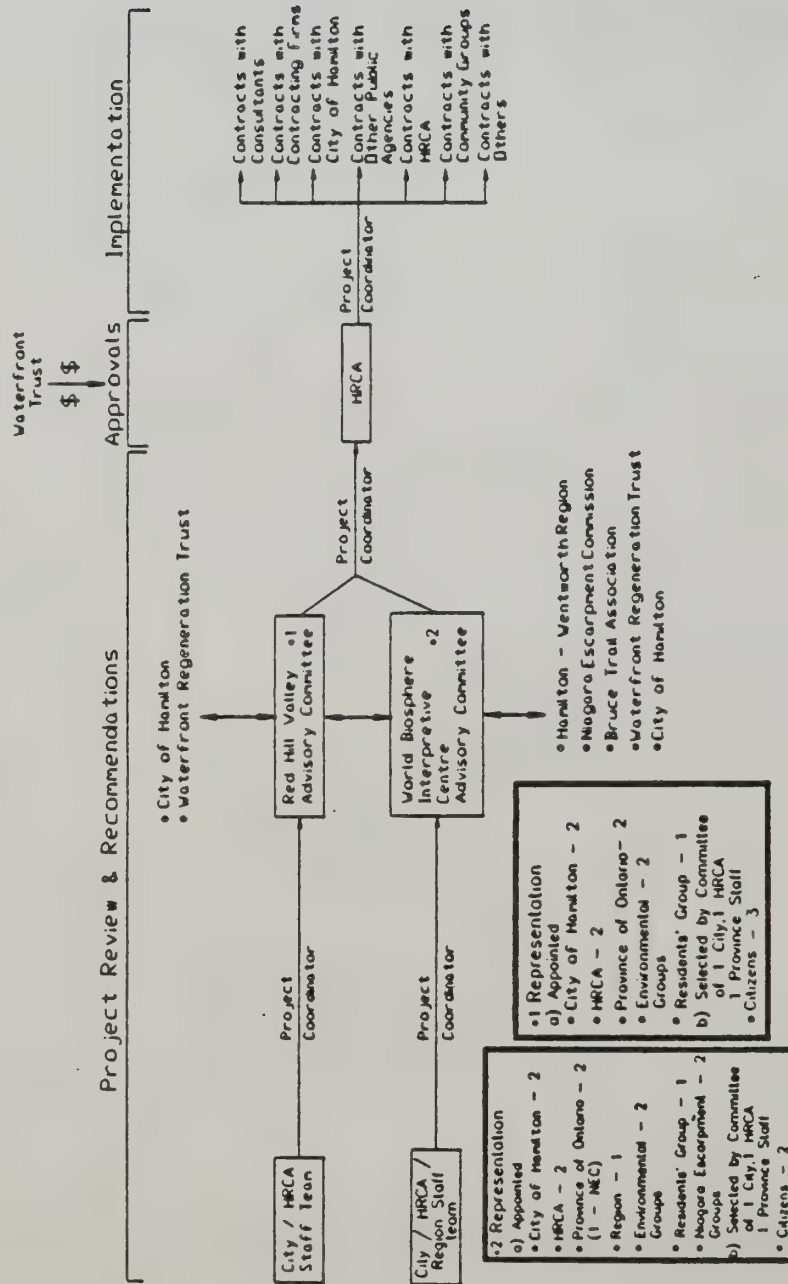
Project	January 1/95 to March 31/96
Trails	
Trail in the Valley - Review of existing studies, supplementary studies and route selection for main trail and connections with other trails. Design and construction including bridge across Red Hill Creek for Bruce Trail. Feasibility study of QEW pedestrian overpass to connect Waterfront Trail to Red Hill Valley trail system. HRCA/City. City as lead implementing agency.	\$922,500
Subtotal	\$922,500
Total	\$3,211,500

Appendix "D" as referred to in Section 15 (e) of the SIXTH Report of the Parks and Recreation Committee for 1995

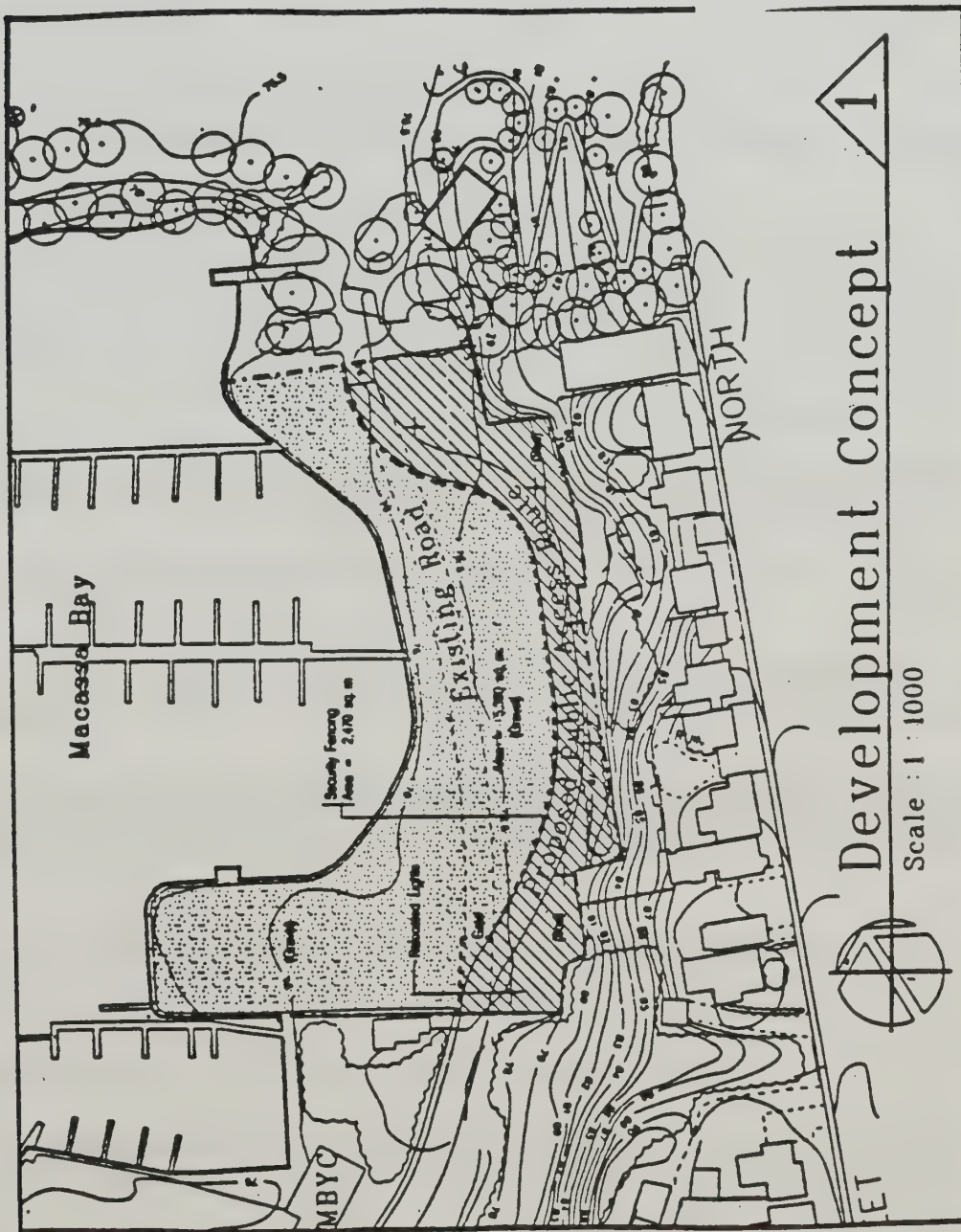
FEBRUARY 14, 1995

RED HILL VALLEY PROJECTS

Review, Recommendations, Approvals and Implementation Model



Appendix "E" as referred to in
Section 20 of the SIXTH Report
of the Parks and Recreation
Committee for 1995



REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **SEVENTH** Report for 1995 and respectfully recommends:

1. (a) That the Design-Build Contract for the Additions and Renovations/Press - Corporate Boxes/Ivor Wynne Stadium be awarded to Bestco Construction Corp. of Hamilton at a cost of \$1,392,000. including GST of approximately \$91,066. The execution of the Contract is conditional on a complete and final document package with associated adjustment prices being submitted by the Contractor; and,

(b) That the Design-Build Contract be finalized by the City Solicitor; and,

(c) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City; and,

(d) That, if possible, the above activities be completed by 1995 March 8 in order to meet the fast-tracked construction start. **AMENDED.**

(e) That this contract not be entered into until a suitable lease agreement has been negotiated by the City for Ivor Wynne Stadium. **ADDED.**
2. (a) That the Ski Season at Chedoke Winter Sports Park be extended for the period of 1995 March 8 to March 12 inclusive; and,

(b) That Ski Tow fees for this period be reduced to \$10. for all user categories; and,

(c) That, if sufficient public interest is generated and weather conditions permit, the Season and reduced Ski Tow rate be carried over to the March School Break Week of 1995 March 13 to March 19 inclusive; and,

- (d) That 12 complimentary Ski Tow passes, with a total value of \$120., be made available to selected local radio stations for an on air promotion/contest to advertise the extended Ski Operations and reduced Ski Tow fees.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, McCulloch, Morelli, Agostino, Jackson, Anderson, D'Amico. -8.

NAYS: Mayor Morrow, Aldermen Drury, Copps, Wilson, Charters, Merling. -6.

Respectfully Submitted,

**ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson
Secretary**

1995 February 28

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SEVENTH** Report for 1995 and respectfully recommends:

1. (a) That the existing "Open Space" designation in both the Official Plan and the approved Albion Falls Neighbourhood Plan, for the Albion Falls Neighbourhood Study Area, as shown on Appendix "A" be changed to "Residential"; and,
 - (b) That the Director of Local Planning be directed to prepare an amendment to the Official Plan and the approved Albion Falls Neighbourhood Plan to reflect this change.
2. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearing regarding an appeal to the Committee of Adjustment decision to deny Application No. A-94:243, respecting property located at No. 121 Ward Avenue.
3. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source Of Financing
a) 548841001	Central Business District Study	23,000.00	23,017.00	(17.00)	Province of Ontario
b) 549055006	Central Business District Study - Phase 2	12,550.00	12,500.00	50.00	Province of Ontario

4. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of two thousand dollars (\$2,000.) be approved for Frank Zavarella, 118 Balmoral Avenue South, Hamilton. The interest rate will be 8 per cent amortized over 5 years.

5. That the Building Commissioner be authorized to issue a demolition permit for 71 Rymal Road West in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Stella Glover
Secretary**

1995 February 22





REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SIXTH** Report for 1995 and respectfully recommends:

1. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 5646/94 by the payment of \$1,500., inclusive of all claims for damages, interest and costs to the Plaintiffs, Paola, Guiseppe, Maria, Anthony and Joseph Gabriele; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 5646/94 in any and all cross and counterclaims in that action be dismissed as against the City of Hamilton without costs.
2. (a) That the City resolve Ontario Court (General Division) Action No. 5861/94 by the payment to the Plaintiffs, Rosalie, Martin and Irene Karl of the sum of \$35,875., inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs, Rosalie, Martin and Irene Karl, be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 5861/94 in any and all cross and counterclaims in that action be dismissed as against the City of Hamilton without costs.
3. (a) That the City resolve Ontario Court (General Division) Action No. 30373/91 by payment to the Plaintiffs, Michael Haw and Lynn Haw personally, and as Litigation Guardian for the infant Plaintiffs Michael Haw and Christopher Boylan of the sum of \$76,475.40, inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 30373/91 be dismissed without costs.

4. (a) That the City of Hamilton resolve Ontario Municipal Board Action No. L 910021, claimant Ronald Del Cotto, regarding compensation for the expropriation of 32 Stinson Street in the City of Hamilton, by the payment to the claimant of \$102,000., inclusive of all claims for compensation, interest, and costs; and,
- (b) That the claimant, Ronald Del Cotto, be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
- (c) That Ontario Municipal Board Action No. L 910021 be dismissed or discontinued without costs; and,
- (d) That this settlement be financed out of the Reserve for Park Lands (5% Land Dedication) Account Centre CH 00201.
5. That all merits due for the period 1993 January 1 to 1993 June 13 be paid to eligible employees.
6. (a) That approval be given to the Women's Centre of Hamilton Wentworth, Sexual Assault Prevention Month Committee to use the City Hall Forecourt and Second Floor Foyer for its second annual Community Awareness Walk, opening ceremonies and display on Sunday, 1995 May 7th, between the hours of 12:30 o'clock p.m. until 3:30 o'clock p.m.; and, **AMENDED.**
- (b) That approval be given for the use of the Second Floor Foyer from Sunday, 1995 April 30th, until Wednesday, 1995 May 31st, for visual displays commemorating Sexual Assault Prevention Month; and,
- (c) That the City Clerk be granted authority to approve similar use in future years provided it does not interfere with any other activity.
7. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

366 Victoria North	301 James North
31 Baillie	607 Queen Victoria
4 Tiffany	162 Barton West
- (b) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

8. That the Statement of the Treasurer, attached herewith and marked Appendix "A", summarizing remuneration and expenses paid to Members of Council and Members of Other Bodies for the year 1994 be received by City Council.
9. That the listing of Appointments To Permanent Positions with the Corporation of the City of Hamilton to 1995 February 10, attached herewith and marked Appendix "B", be approved.
10. That the position of Traffic Legislative Co-ordinator be reclassified from Level "M" to Level "L" of the Non-Union Salary Schedule, retroactive to 1992 February 17.
11. That approval be given to exercise the City's option and issue a purchase order to Toromont Industries Limited, Cimco Refrigeration, Toronto, Ontario in the amount of \$131,015.51 per year including (\$8,571.11 GST) for mechanical maintenance of refrigeration ice making equipment in ten (10) City owned arenas during 1995 and 1996, being the only tender received in accordance with specifications issued by the Manager of Purchasing (Ref: C15-26-92.)
12.
 - (a) That the City Treasurer be authorized to set aside up to fifty percent (50%) of H.E.C.F.I.'s annual surplus, if any, effective 1994 and beyond, to a maximum cumulative balance of \$250,000., in a reserve for budget stabilization; and,
 - (b) That this reserve for budget stabilization be credited with interest earned annually; and,
 - (c) That the reserve for budget stabilization be utilized with the approval of the H.E.C.F.I. Board and City Council to fund H.E.C.F.I.'s net operating budget shortfall, if any, for those years with disappointing financial results.
13. That further to the approval of the Parks and Recreation Committee respecting the disposition of "Club Accounts" surplus being carried forward, the following be approved:
 - (a) That an amount of \$12,254. for the Hamilton Men's Basketball Association be carried forward to 1995 and that the amount remaining after deducting the 1994/95 Season Expenses be returned to the Association; and,
 - (b) That a "Reserve for System Improvements" for the Culture and Recreation Department be approved and that the reserve be credited with interest in accordance with current policy; and,
 - (c) That the surplus within the Program Accounts to the end of 1994 of an estimated \$252,851. be transferred to the reserve; and,
 - (d) That the balance in the Control Account No. 15406-00001 of \$19,839. be transferred to the reserve; and,

- (e) That staff be authorized to issue a Request for Proposal for the automation of the cash handling and reporting of revenues collected by the Culture and Recreation Department; and,
 - (f) That an amount of up to \$2,200. be approved for the purchase of an "All Terrain" wheelchair for use in the Special Needs Program.
14. (a) That the 1994 Current Budget surplus be transferred to the Reserve for Tax Stabilization, 00135; and,
- (b) That the surplus of \$42,504.19, resulting from the International Children's Games, be carried forward to 1995 until the Games Committee can recommend to Committee and Council the method of disposition; and,
- (c) That transitional funding be provided to any departments incurring a 1994 net deficit position solely as a result of transitional costs related to 1994 Budget Reduction Packages.
15. That the Treasurer be authorized to close out accounts with unclaimed balances after a period of two years and credit these amounts to the Reserve for Contingency subject to future claims.
16. (a) (i) That approval be given to issue a Purchase Order in the amount of \$812,130. inclusive of G.S.T. (\$53,130.) to commission Marsh Energy Inc. of Burlington, Ontario for the design, engineering and project management for a cogeneration, load displacement installation for the Central Utilities Plant in accordance with the Request For Proposal (Ref: C15-14-94) issued by the Manager of Purchasing on 1994 November 2, subject to the approval of the Minister of Municipal Affairs for the Province of Ontario responsible for the Canada/Ontario Infrastructure Works Program of the revised "Schedule 2" and change of scope; and,
- (ii) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor; and,
- (b) That approval be given to include in the 1995 - 2004 Capital Budget the sum of \$1,663,411., as additional funding required for the City's portion of the financing for the Central Utilities Plant - Cogeneration Project; and,
- (c) That approval be given to the Director of Property to examine with Marsh Energy Inc. the feasibility of financing the City's share of the overall project cost through an ESCO (Energy Service Contract) or other type of innovative financing vehicle; and,

- (d) (i) That the Director of Property be authorized to initiate negotiations with the Province of Ontario, Ministry of Government Services, regarding the recovery of costs for utility services supplied by the Central Utilities Plant to the Ontario Government, Ellen Fairclough Building as indicated in the existing agreement between the City of Hamilton and Province of Ontario; and,
 - (ii) That the Director of Property be authorized to initiate similar negotiations with the Art Gallery of Hamilton regarding the recovery of costs for utility services supplied to it by the Central Utilities Plant; and
 - (iii) That the Director of Property be authorized to initiate similar negotiations with the Parking Authority for the recovery of utility costs supplied by the Central Utilities Plant to the Authority's underground Parking Garage/Offices.
17. (a) That in accordance with Section 26 (1)(2) of Ontario Regulation 546/90 of the Liquor Licence Act, 1990, the Council of the Corporation of the City of Hamilton deems the 1995 Juno Awards to be held in Hamilton on Friday, 1995 March 24th to Sunday, 1995 March 26th inclusive to be an event of municipal/national significance; and,
- (b) That the Council of the Corporation of the City of Hamilton deems the Hamilton Music Scene '95 Festival to be held in Hamilton in conjunction with the Juno Awards on Saturday, 1995 March 25th to be an event of municipal significance City-wide; and,
- (c) That as both of these events are municipally significant, that the Liquor Licence Board of Ontario be requested to give favourable consideration to extending the hours of operation at all existing licenced establishments to a 2:00 o'clock a.m. closing.
18. That leave be granted to introduce the following Bills:
- (a) D-16 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
 - (b) D-17 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder, Secretary
1995 February 21**

City of Hamilton
Treasury

Appendix "A" referred
to in Section 8 of the
SIXTH Report of the
Finance and Administration
Committee for 1995.

STATEMENT OF THE TREASURER
for the period ending December 31, 1994

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

1. REMUNERATION

(a) Members of Council	Salary*
Agostino, D.	\$20,492.68
Agro, V. J.	20,492.68
Anderson, T.	20,492.68
Caplan, M.	2,364.56
Charters, R.	20,492.68
Cooke, T.	18,758.68
Copps, G.	20,429.68
D'Amico, F.	20,492.68
Drury, D.	19,923.88
Eisenberger, F.	20,492.68
Jackson, T.	19,923.88
Kiss, M.	20,492.68
McCulloch, W.	20,492.68
Merling, H.	20,492.68
Morelli, B.	20,492.68
Morrow, R.	65,576.16
Ross, D.	20,492.68
Wilson, D.	<u>20,492.68</u>
	<u>\$392,952.00</u>

*One-third of these amounts deemed to be "Expenses" in accordance with section 255 of the Municipal Act.

b) Committee of Adjustment

Member	Honorarium
Dudzic, M.	\$2,600.00
Greenlee, M.	2,100.00
Korz, G.	2,100.00
Law, B.	2,100.00
Takhar, N.	<u>2,100.00</u>
	<u>\$11,000.00</u>

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1994

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

(c) License Examining Board

Member	Honorarium
Allison, H.	\$ 800.00
Clothier, R.	1,000.00
Cooper, H.	1,100.00
Gibson, D.	900.00
Green, R.	900.00
Groves, L.	1,000.00
Hardie, D.	1,200.00
Holm, M.	1,300.00
Kaut, H.	1,200.00
Korz, G.	1,200.00
Langdon, D.	1,200.00
MacIntyre, D.	1,200.00
Penko, G.	1,100.00
Reilly, M.	700.00
Taffs, R.	1,100.00
VanDerbeek, P.	<u>1,500.00</u>
	<u>\$17,400.00</u>

2. EXPENSES

(Residence telephone allowance, travelling and local grant to Mayor)

(a) Members of Council	Amount
Agostino, D.	\$161.46**
Agro, V. J.	161.46**
Anderson, T.	161.46**
Caplan, M.	13.46**
Charters, R.	161.46**
Cooke, T.	148.01**
Copps, G.	nil
D'Amico, F.	161.46**
Drury, D.	161.46**
Eisenberger, F.	1,318.30
Jackson, T.	161.46**
Kiss, M.	161.46**
McCulloch, W.	3,662.81
Merling, H.	161.46**
Morelli, B.	161.46**
Morrow, R.	30,767.28
Ross, D.	161.46**
Wilson, D.	<u>161.46**</u>
	<u>\$37,847.38</u>

**telephone allowance only

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1994

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

(b) Public Library Appointees

Member	Honorarium
Down, T.	\$1,858.90
Rogers, P.	1,813.78
Syko, J.	<u>1,964.52</u>
	<u>\$5,637.20</u>

(c) H.E.C.F.I. Appointees

Bill Tidball	\$1,356.14
Mayor R. Morrow	<u>850.75</u>
	<u>\$2,206.89</u>

THE CORPORATION OF THE CITY OF HAMILTON

1995 February 28

Appendix "B" referred to in Section 9 of the SIXTH Report of the Finance and Administration Committee for 1995.

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Christopher Ridgewell	I	Truck Driver (D13)	Public Works	Replacing Mr. R. Bourque - promoted, December 12/94	\$35,686.56	Jan. 17/95
Mr. Fred Rolfe	I	Rink Attendant II/ Greenskeeper II (D14)	Culture & Recreation	Replacing Mr. R. Kitchen - promoted, Nov. 21/94	\$36,052.64	Jan. 23/95
Mr. Thomas Thurston	I	Assistant Maintenance Foreman/Woman (F1)	Cemeteries	Replacing Mr. J. Gibbs - promoted, May 16/94 Mr. T. Szrajber - retired, April 30/94	\$38,074.40 to \$43,763.20	Jan. 18/95
Mr. Larry Torresin	I	Foreman/Woman II (F1)	Public Works	Replacing Mr. A. Unelli - retired, Dec. 30/94	\$38,074.40 to \$43,763.20	Jan. 23/95
Mr. Thomas Warburton	I	Foreman/Woman II (F2)	Public Works	Replacing Mr. T. Polowy - lateral move to Foreman II Additional Staff Council Approved March 29, 1994	\$39,884.00 to \$45,843.20	Jan. 01/95

Prepared February 10/95

Status
Internal - I
External - E

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SEVENTH** Report for 1995 and respectfully recommends:

1. That Mr. Joseph Pavelka be retained as the Chief Administrative Officer effective 1995 February 27 for a five year term concluding on 2000 February 26, within salary schedule A of the City's Non Union Compensation Plan, and that the Commissioner of Human Resources be authorized to conclude negotiations for an employment contract under the terms and conditions agreed to.
2. That Mr. Allan Ross be retained as the City Treasurer effective 1995 May 14 for a five year term concluding on 2000 May 13, within salary schedule B of the City's Non Union Compensation Plan, and that the Commissioner of Human Resources be authorized to conclude negotiations for an employment contract under the terms and conditions agreed to.
3. That Mr. Doug Lobo be retained as the Director of Public Works effective 1995 March 1 for a five year term concluding on 2000 March 1, within salary schedule B of the City's Non Union Compensation Plan, and that the Commissioner of Human Resources be authorized to conclude negotiations for an employment contract under the terms and conditions agreed to.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder, Secretary
1995 February 28**

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **THIRD** Report for 1995 and respectfully recommends:

1. That the following persons be recommended to Regional Council for appointment to the **Court of Revision (Regional)** for a term to expire 1997 November 30:

- (a) Richard Neil Cutler
- (b) Malcolm C. Cline

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Merling, Anderson, D'Amico. -14.

NAYS: Alderman Jackson. -1.

CARRIED.

2. That the following persons be appointed to serve on the **Hess Village Pedestrian Mall Authority** for a term to expire 1997 November 30:

- (a) Marion Challe
- (b) Bob Daniels
- (c) Michael Fortino
- (d) Donna Loyst

3. That the following person be appointed to serve on the **Property Standards Committee** for a term to expire 1997 November 30:

- (a) William Patterson

4. That Alderman D. Agostino be appointed Chairman of the Committee of the Whole for a term commencing March, 1995.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN,
NOMINATING COMMITTEE**

S. G. Hollowell, Secretary
1995 February 28

1995 March 2

Minutes of the Special
City Council Meeting
Thursday, March 2, 1995
1:00 o'clock p.m.
Room 233, City Hall

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Kiss, Caplan, McCulloch, Morelli, Drury, Copps, Wilson, Agostino,
Jackson, Charters, Merling, Anderson, D'Amico.

Absent: Alderman V. J. Agro - ill
Alderman F. Eisenberger - vacation
Alderman D. Ross - other business

Mayor R. M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Anderson that the Report of the Committee of the Whole be now considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Morelli, Drury, Copps,
Wilson, Agostino, Jackson, Charters, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - FIRST REPORT

Current Budget Update and User Fees

It was moved by Alderman Kiss and seconded by Alderman Anderson that the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Morelli, Drury, Copps,
Wilson, Agostino, Jackson, Charters, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

BILLS

It was moved by Alderman Kiss and seconded by Alderman Anderson that Bill E-1 be now read a first time.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Jackson, Charters, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Anderson that Council move into Committee of the Whole to consider Bill E-1 with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Anderson that the Report of the Committee of the Whole on Bill E-1, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Anderson that Bill E-1 be now read a third time, signed, sealed and enrolled as a By-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 3:20 o'clock p.m.

* * * * *

Taken as read and approved.

**Mayor R.M. Morrow
Chairman, Committee of the Whole**

S. G. Hollowell, Acting City Clerk
1995 March 2
SGH/dg

1995 March 2

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FIRST** Report for 1995 and respectfully recommends:

1. That the interim fee adjustments as outlined in Appendix "A", as amended be approved for inclusion in the 1995 Current Budget effective April 3, 1995.
2. That leave be granted to introduce the following Bill:

E-1: A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

**CHAIRMAN,
COMMITTEE OF THE WHOLE**

S. G. Hollowell, Acting Secretary
1995 March 2

SGH/dg

1995 March 2

SCHEDULE OF USER FEES

<u>Item No.</u>	<u>Department</u>	<u>1994 Fee</u>	<u>1995 Fee</u>
	Fire		
	<i><u>Inspections:</u></i>		
1)	Home Day Care	34.00	34.00
2)	1 & 2 Family Dwellings	34.00	34.00
3)	Residential (under 6 st.)	67.00	350.00
4)	Non-Residential	67.00	160.00
5)	L.L.B.O.	67.00	110.00
6)	Lic. Day Care	67.00	100.00
7)	Over 4 Stories – Small	105.00	380.00
8)	Over 4 Stories – Medium	350.00	450.00
9)	Over 4 Stories – Large	521.00	600.00
	Traffic		
10)	Residential Boulevard Parking Agreements	30.00	55.00
11)	Commercial Boulevard Parking Agreements	172.12	200.00 *

** and increased by the rate of inflation annually*

1995 March 2

SCHEDULE OF USER FEES

<u>Item No.</u>	<u>Department</u>	<u>1994 Fee</u>	<u>1995 Fee</u>
	Traffic		
12)	Private Parking Lot Inspections	48.33	60.00 *
	<i>* and increased by the rate of inflation annually</i>		
13)	On-Street Parking Permits - Reserved	12.00	24.00
	<i>(except for On-Street Disabled spaces where there will be no charge)</i>		
	Treasury		
14)	N.S.F. Cheque Fee	17.00	25.00
15)	Tax Registration		
	- First Year	615.00	615.00
	- Second Year	0.00	400.00
		615.00	1,015.00
16)	Extension Agreement	0.00	150.00
	Planning		
17)	Rezoning - Routine-Phase 1	865.00	1,300.00
	- Routine - Phase 2	865.00	1,300.00
	- Complex - Phase 1	1,120.00	2,600.00
	- Complex - Phase 2	610.00	2,600.00
	<i>(does not include 1 - and 2-family residential which remains at 1994 levels)</i>		
18)	Official Plan Act - Phase 1	1,120.00	1,950.00
19)	Official Plan Act - Phase 2	610.00	1,925.00

1995 March 2

SCHEDULE OF USER FEES

<u>Item No.</u>	<u>Department</u>	<u>1994 Fee</u>	<u>1995 Fee</u>
	Planning		
20)	Site Plan Control	1,020.00	2,040.00
	Site Plan Amendment	410.00	810.00
21)	Subdivision – Simple	560.00	1,950.00
22)	Subdivision – Complex	1,020.00	2,500.00
23)	Condos	560.00	1,400.00
24)	Revision to Subdivisions /Condos	355.00	750.00
25)	Part Lot Control	300.00	360.00
26)	Street Name Change	3,700.00	4,155.00
27)	Property Report	40.00	80.00
28)	Rental Housing Protection Act		
	– Phase 1	1,000.00	Full Cost
	– Phase 2	250.00	Full Cost
29)	OMB Hearing	Varies	Referred to P & D
	Roads Department		
30)	Simple MSA (Modified Subdivision Agreement)	0.00	Referred to Management Team
31)	Complex MSA (Modified Subdivision Agreement)	0.00	2,000.00 + 100/lot
32)	Phase 2 Subdivisions	0.00	3,000.00 + 100/lot

Minutes of the Special
City Council Meeting
Tuesday, March 7, 1995
6:55 o'clock p.m.
Room 233, City Hall

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Wilson, Agostino,
Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Absent: Alderman B. Morelli - Other Business
Alderman F. Eisenberger - Vacation

Mayor R. M. Morrow called the meeting to order at 6:55 p.m.

* * * * *

Council recessed at 7:00 p.m. and agreed to reconvene immediately following Regional Council.

* * * * *

City Council reconvened at 9:40 p.m.

* * * * *

It was moved by Alderman Caplan and seconded by Alderman Agro that Council meet in-camera to discuss the Lease for Ivor Wynne Stadium. **CARRIED.**

* * * * *

It was moved by Alderman Caplan and seconded by Alderman Agro that the following Resolution respecting a Lease for Ivor Wynne Stadium be considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Copps, Wilson, Agostino,
Jackson, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0. **CARRIED.**

RESOLUTION

Ivory Wynne Stadium - Lease

1. That the City of Hamilton enter into a 10 (ten) year lease agreement with The Hamilton Tiger-Cat Football Club (MacDonald Group) for the use of Ivor Wynne Stadium as per the following terms;

RENT: \$500/Game plus another \$500. if attendance exceeds 25,000/game and a further \$500. beyond 28,000/game.

CONCESSIONS: Club retains revenue.

SECURITY & MAINTENANCE: City to pay security and maintenance (including maintenance for pre-game parking lot events) up to a capped amount of \$200,000.

Club pays up to a capped amount of \$30,000. for any maintenance costs over the City's \$200,000. maintenance commitment.

BEER SALES: Club retains revenue.

PARKING: Club retains revenue.

SKYBOX: Club retains revenue.

ADVERTISING: Club retains rights.

OTHER: City gets appropriate/year in-kind ad space.

City pays \$2.6M for stadium upgrades including skyboxes.

2. That the City Solicitor be directed to prepare a lease agreement between the City of Hamilton and the Hamilton Tiger-Cat Football Club (MacDonald Group), based on these terms.

Section 1 Re: Use of Ivor Wynne Stadium - 10 year lease agreement

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, Drury, Copps, Agostino, Jackson, D'Amico, Ross. -9.

NAYS: Aldermen Kiss, Wilson, Charters, Merling, Anderson. -5

CARRIED.

* * * * *

Section 2 Re: Preparation of lease agreement between the City of Hamilton and the Hamilton Tiger-Cat Football Club (MacDonald Group).

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, Drury, Copps, Agostino, Jackson, D'Amico, Ross. -9.

NAYS: Aldermen Kiss, Wilson, Charters, Merling, Anderson. -5 **CARRIED.**

* * * * *

It was moved by Alderman Caplan and seconded by Alderman Agro that the Resolution respecting the Lease for Ivor Wynne Stadium be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, Drury, Copps, Agostino, Jackson, D'Amico, Ross. -9.

NAYS: Aldermen Kiss, Wilson, Charters, Merling, Anderson. -5 **CARRIED.**

BILL B-1

By-law to Confirm the Proceedings of Council

It was moved by Alderman Caplan and seconded by Alderman Agro:

That leave be granted to introduce the following Bill:

Bill B-1: A By-law to Confirm the Proceedings of The Council of The Corporation of the City of Hamilton.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Copps, Wilson, Agostino, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0. **CARRIED.**

* * * * *

It was moved by Alderman Caplan and seconded by Alderman Agro that Bill B-1 be now read a first time.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Copps, Wilson, Agostino, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Caplan and seconded by Alderman Agro that Council move into Committee of the Whole to consider Bill B-1 with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Copps, Wilson, Agostino, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Caplan and seconded by Alderman Agro that the Report of the Committee of the Whole on Bill B-1, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Copps, Wilson, Agostino, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

* * * * *

1995 March 7

It was moved by Alderman Caplan and seconded by Alderman Agro that Bill B-1 be now read a third time, signed, sealed and enrolled as a By-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Copps, Wilson, Agostino, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 11:15 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R.M. Morrow
Chairman, Committee of the Whole

J. J. Schatz, City Clerk
1995 March 7
JJS/dg

Minutes of the Special
Committee of the Whole/City Council Meeting
Thursday, March 9, 1995
3:00 o'clock p.m.
Room 233, City Hall

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Kiss, Caplan, Agro, Morelli, Drury, Copps, Wilson, Agostino,
Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico.

Absent: Alderman W. McCulloch - city business
Alderman D. Ross - other business

Mayor R. M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the City Council Committee of the Whole be considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Agostino,
Eisenberger, Charters, Jackson, Merling, D'Amico. -13.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - SECOND REPORT

1995-2004 Capital Budget

Recorded vote on Section 1.

YEAS: Mayor Morrow, Aldermen Caplan, Drury, Morelli, Wilson, Agostino, Eisenberger,
Charters, Jackson, D'Amico. -10.

NAYS: Aldermen Kiss, Copps, Merling. -3.

CARRIED.

RESOLUTIONS
Architectural Services

It was moved by Alderman Charters and seconded by Alderman Wilson

"That the capital costs for Architectural Services costs be removed from the 1995 Capital Budget; and,

That the Chief Administrative Officer report back on the feasibility of each Department being responsible for project management for their respective projects; and,

That one person be delegated as the person responsible as the Project Management Coordinator reporting to the Chief Administrative Officer; and,

That all costs for the Architectural Services be removed from the 1995 Current Budget."
LOST.

* * * * *

It was moved by Alderman Jackson and seconded by Alderman Agostino

"That the Chief Administrative Officer report back on the feasibility of

- the capital costs for Architectural Services costs being removed from the 1995 Capital Budget; and,
- each Department being responsible for project management for their respective projects; and,
- one person being delegated as the person responsible as the Project Management Coordinator reporting to the Chief Administrative Officer; and,
- all costs for the Architectural Services being removed from the 1995 Current Budget."

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, D'Amico. -13.

NAYS: -0.

CARRIED.

BILL E-2

A By-law to Confirm the Proceedings of Council.

It was moved by Alderman Kiss and seconded by Alderman Caplan that Bill E-2 be now read a first time.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, D'Amico. -13.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider Bill E-2 with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, D'Amico. -13.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

1995 March 9

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on Bill E-2, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, D'Amico. -13.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that Bill E-2 be now read a third time, signed, sealed and enrolled as a By-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, D'Amico. -13.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 6:00 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R.M. Morrow
Chairman, Committee of the Whole

J. J. Schatz, City Clerk
1995 March 9
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SECOND** Report for 1995 and respectfully recommends:

1. (a) That the City of Hamilton 1995 Capital Budget and 1996-2004 Capital Forecast as outlined on Schedule "A" and "B" attached, representing the following financial parameters, be approved:
 - (i) the average debenture charges expressed as a percentage of levy be 11.74% for the 10 year period, inclusive of Canada/Ontario Infrastructure Works Program.
 - (ii) the average compound rate of increase per year in debenture charges be 2.18%.
- (b) That the provision for capital levy with specific reference to the "Pay-As-You-Go" policy, be increased to a three mill capital levy in 1995, a four mill capital levy in 1996, a five mill capital levy in 1997 and a six mill capital levy in 1998 and onward.
- (c) (i) That the 1995 projects be approved for implementation as outlined on the following pages (Schedule "A" - Page 1 and 2 - Municipal Projects (amended) and Page 11 - the Parking Authority Projects) indicating the method of financing, and that the originating Department Head be directed to proceed with these projects.
- (ii) That the City Solicitor be authorized to prepare the appropriate by-laws for those projects requiring debenture financing for approval of City Council (as indicated on Schedule "A", Column 18)
- (iii) That the Regional Municipality of Hamilton-Wentworth be requested to consent to the issuance of debentures for a term not to exceed twenty years as required for those Projects requiring debenture financing.

1995 March 9

Recorded vote on Section 1.

YEAS: Mayor Morrow, Aldermen Caplan, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico. -10.

NAYS: Aldermen Kiss, Copps, Merling. -3.

CARRIED.

2. That leave be granted to introduce the following Bill:

E-2: A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW,
CHAIRMAN,
COMMITTEE OF THE WHOLE**

J. J. Schatz, Secretary
1995 March 9

The Corporation of the City of Hamilton
1995-2004 CAPITAL BUDGET PROGRAM

PROJECTS BY YEAR & DEPARTMENT ORDER

(Thousands of Dollars)

APPROVED BY THE COMMITTEE OF THE WHOLE AND CITY COUNCIL ON 1995 MARCH 09

Appendix "A" referred to in Section 1 of the SECOND Report of the Committee of the Whole for 1995.

Projects Other than Parking Authority:

1995 Projects

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING										NATURE OF DEBT	ANNUAL CHARGES	ANNUAL OPERATING COST
			START	FINISH	COST	SUBSIDY	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
1.1	IS	COMPUTER SOFTWARE	1995	1995	150		150										CL		15
2.0	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	1995	1995	1,000	1,000											RPP		
5.0	TR	PROPERTY / TAXATION SYSTEM - Increased Cost	1995	1995	300		300										RWF		(30)
7.0	BLDG	AUTOMATED BUILDING PERMIT TRACKING SYSTEM	1995	1996	250		175	75									RCP		(55)
9A	PROP	TRIGENERATION (C.U.P.) - INFRASTRUCTURE - Increased Cost	1995	1995	1,664		1,664										DEB	262	(173)
9.0	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	1995	1995	1,064		1,064										CL/DEB	158	
10.0	PROP	CUP - VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	1995	1995	70		70										CL		
11.0	PROP	ENERGY MANAGEMENT PROJECTS	1995	1995	200		200										CL		(101)
12.0	PROP	CITY HALL - ROOF REPLACEMENT	1995	1995	318		318										DEB	50	
13.0	PROP	MOUNTAIN ARENA - REPLACEMENT OF ROOF	1995	1995	410		410										RCP		
15.0	PROP	SPLIT/BALANCE CITY HALL POWER SUPPLY FOR COMPUTER SYSTEMS	1995	1995	97		97										RCP		1
16.0	PROP	UNINTERUPTABLE POWER SUPPLY FOR COMPUTER SYSTEMS	1995	1995	193		193										RCP		1
17.0	PROP	CENTRAL FIRE - REPLACE FLAT ROOFS	1995	1995	73		73										CL/RCP		
19.0	PROP	LAWFIELD ARENA - REEROOFING	1995	1995	155		155										RCP		
22.0	PROP	REPLACE CARPETING TO REGIONAL OFFICES IN CITY HALL	1995	1995	142		142										CL		
72.0	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	1995	1995	1,273		1,273										RSTUL/RCP		27
74.0	ROAD	REHABILITATION OF PARKDALE AVENUE SOUTH BRIDGE - Increased Cost	1995	1995	103	26	77										CL		(4)
80.0	TRAFF	TRAFFIC SIGNAL INSTALLATION AND MODERNIZATION	1995	1995	70	18	52										CL/RDC		1
82.0	PWD-L	CITY'S SHARE OF LOCALS - RESIDENTIAL	1995	1995	650	163	487										CL		
85.0	PWD-L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM-LOCAL ROADS PHASE I	1995	1995	7,225	1,806	5,419										DEB	854	
85.1	PWD-L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM-LOCAL ROADS PHASE II	1995	1995	1,300	325	975										DEB	154	
88.0	PWD-S	CONSTRUDING MAINTENANCE DEPOTS	1995	1995	50		50										RCP		
90.0	PWD-S	REFUSE PACKER - 25 CUBIC YARD, HIGH DENSITY	1995	1995	360		360										CL		429
107.0	C&R	RIVERDALE RECREATION CENTRE - DESIGN - INCREASED COST	1995	1995	358		358										CL		
108.1	C&R	HAMILTON PLAYSTRUCTURE REDEVELOPMENT	1995	1995	303		303										RPL/CL		1
111.0	C&R	TENNIS COURT RE-DEVELOPMENT	1995	1995	20		20										CL		
112.1	C&R	CORONATION ARENA AND OUTDOOR POOL - STUDY	1995	1995	10		10										CL		
119.0	C&R	FACILITY INFRASTRUCTURE STUDY	1995	1996	100		100										RCP		
134.0	C&R	ST. MARK'S CHURCH - CONDITIONS ASSESSMENT REPORT	1995	1995	20		20										CL		
138.0	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1995	1995	600		600										RPL		38
139.0	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	1995	1995	122	22	100										RPL		10
140.0	PWD-P	PARKLAND ACQUISITION	1995	1995	100		100										RPL		13
141.0	PWD-P	GORE PARK WALKWAY RESTORATION	1995	1995	315		315										DEB	50	
181.0	HECFI	HAMILTON CONVENTION CENTRE - REPLACEMENT OF CARPET	1995	1995	350		350										RCP-H		

The Corporation of the City of Hamilton

1995 - 2004 CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR & DEPARTMENT ORDER

(Thousands of Dollars)

APPROVED BY THE COMMITTEE OF THE WHOLE AND CITY COUNCIL ON 1995 MARCH 09

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING										NATURE OF DEBT		ANNUAL ANNUAL	
			START	FINISH	COST	SUBSIDY	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	FUNDING	DEBT	OPERATING	ANNUAL
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	
1820	HECF	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	1995	1995	95		95										RCP-H			
1830	HECF	HAM CONVENTION CENTRE - REPAIRS TO EXTERIOR ELEVATED WALKWAY	1995	1995	70		70										RCP-H			
1840	HECF	HAMILTON PLACE - CASUAL FURNITURE REPLACEMENT	1995	1995	60		60										RCP-H			
1870	HECF	HAMILTON PLACE - MODIFICATIONS TO ENTRANCE DOORS/BOX OFFICE LOBBY	1995	1995	60		60										RCP-H			
2110	PLAN	OFFICIAL PLAN REVIEW	1995	1996	250	100	150										CL			
215A	X	ONTARIO WORKERS' ARTS AND HERITAGE CENTRE - CAPITAL GRANT	1995	1995	650		650										CL			
Sub-total 1995 PROJECTS					20,600	3,460	17,065	75	0	0	0	0	0	0	0	0			1,528	173
(NET CITY COSTS - 17,140)																				
1996 Projects																				
12	IS	COMPUTER SOFTWARE	1996	1996	150			150									RCP			15
3.1	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	1996	1996	1,000	1,000											RPP			
60	CLERK	ELECTION SYSTEM	1996	1996	550		550										CL			
140	PROF	CUP - BUILDING AUTOMATION SYSTEM UPGRADE	1996	1996	149		149										CL			
180	PROF	WEST AVENUE SCHOOL - RETROFIT HEATING SYSTEM	1996	1996	164		164										CL			
200	PROF	MARKET/LIBRARY RE-ROOFING PHASE II	1996	1996	578		578										DEB		91	
210	PROF	CHEDOKE GOLF CLUBHOUSE - REROOFING	1996	1996	42		42										CL			
251	PROF	MAJOR MAINTENANCE TO CIVIC BUILDINGS	1996	1996	500		500										DEB/CL		55	
261	PROF	CUP - VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	1996	1996	80		80										CL			
271	PROF	ENERGY MANAGEMENT PROJECTS	1996	1996	100		100										CL			(20)
281	PROF	CONVERT AIR CONDITIONING EQUIPMENT FROM CFC11 TO SUVA-123	1996	1996	158		158										CL			
290	PROF	CORPS COLISEUM-MAJOR OVERHAUL - REFRIGERATION & A/C EQUIPMENT	1996	1996	228		228										DEB		36	
300	PROF	CITY HALL - REPLACE EXISTING CHILLERS & ASSOCIATED EQUIPMENT	1996	1996	340		340										CL			
310	PROF	DUNDURN CASTLE - HOT WATER BOILER SYSTEM	1996	1996	126		126										CL			
320	PROF	HAMILTON PUBLIC LIBRARY - FIRE PANEL/PUBLIC ADDRESS SYSTEM REPLACEMENT	1996	1996	169		169										CL			
341	PROF	ACCOMMODATION REQUIREMENTS - CITY HALL	1996	1996	50		50										RCP			
421	PROF	PROVISION FOR SPRINKLER SYSTEM - CITY BUILDINGS - STUDY	1996	1996	50		50										RCP			
640	FIRE	PUBLIC SAFETY TRUNKING RADIO - Increased Cost	1996	1996	420		420										DEB		66	
731	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	1996	1996	1,293		1,293										RSTU/CL			
760	ROAD	REPLACEMENT OF VALLEY INN ROAD BRIDGE - PRILIMINARY ENGINEERING	1996	1996	21		13										RCP			
790	TRAFF	ADDITIONAL TRAFFIC SERVICE TRUCK	1996	1996	170		170										CL/RDC		(7)	
811	TRAFF	TRAFFIC SIGNAL INSTALLATION AND MODERNIZATION	1996	1996	79		20										CL/RDC		1	
831	PWD-L	CITY'S SHARE OF LOCALS - RESIDENTIAL	1996	1996	670		168										CL			
861	PWD-L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM-LOCAL ROADS	1996	1996	7,445	1,861	5,584										DEB		880	
891	PWD-S	CONSTRUCTION - UPGRAADING MAINTENANCE DEPOTS	1996	1996	50		50										CL			
910	PWD-S	REFUSE PACKER - 25 CUBIC YARD, HIGH DENSITY	1996	1996	120		120										CL		145	
1030	PWD-S	ENHANCED STREETS CAPING	1996	1996	108		108										RCP		19	
1040	PWD-S	WATER TRUCK - TRAFFIC ISLAND PROGRAMME	1996	1996	68		68										RCP		9	

The Corporation of the City of Hamilton
1995-2004 CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR & DEPARTMENT ORDER

(Thousands of Dollars)

APPROVED BY THE COMMITTEE OF THE WHOLE AND CITY COUNCIL ON 1995 MARCH 09

APPROVED BY THE COMMITTEE OF THE WHOLE AND CITY COUNCIL ON 15 MARCH 1995																				NATURE OF FUNDING	ANNUAL DEBT CHARGES	ANNUAL OPERATING COST
PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING										RDC/DEB	168	648			
			START	FINISH	COST	SUBSIDY	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004				(18)	(19)	(20)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)						
107.5	C&R	RIVERDALE RECREATION CENTRE - CONSTRUCTION	1996	1998	6,068			1,775	3,351	942												
108.2	C&R	HAMILTON PLAYSTRUCTURE REDEVELOPMENT	1996	1996	100			100														
109.0	C&R	INTEGRATED PLAYSTRUCTURE FOR GAGE PARK	1996	1996	100	25		75														
126.1	C&R	WHITEHERN STABLE RENOVATION - FEASIBILITY STUDY	1996	1996	20			20														
149.1	PWD-P	IVOR WYNNE STADIUM - RENOVATIONS AND REPAIRS	1996	1996	150			150														
149.2	PWD-P	IVOR WYNNE STADIUM - RENOVATIONS AND REPAIRS	1996	1996	90			90														
150.1	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1996	1996	600			600														
151.1	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1996	1996	122	22		100														
152.1	PWD-P	PARKLAND ACQUISITION	1996	1996	400			400														
182.1	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	1996	1996	220			220														
185.1	HECFI	HAMILTON PLACE - REFURBISH SEATING IN THE GREAT HALL	1996	1996	340			340														
190.0	HECFI	COPPS COLISEUM - REPLACEMENT OF FLOORING	1996	1996	60			60														
193.0	HPL	CENTRAL LIBRARY RENOVATIONS - PHASE II - DESIGN PHASE	1996	1996	87			87														
Sub-total 1996 PROJECTS					23,235	3,109	0	15,833	3,351	942	0	0	0	0	0	0						
(NET CITY COSTS - 20,126)																						
1997 Projects																						
1.3	IS	COMPUTER SOFTWARE	1997	1997	150																	
3.2	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	1997	1997	1,000	1,000																
23.0	PROP	ACCOMMODATION REQUIREMENTS - CITY HALL	1997	1997	100																	
25.2	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	1997	1997	500																	
26.2	PROP	CUP-VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	1997	1997	80																	
27.2	PROP	ENERGY MANAGEMENT PROJECTS	1997	1997	100																	
28.2	PROP	CONVERT AIR CONDITIONING EQUIPMENT FROM CFC11 TO SUVA-123	1997	1997	171																	
34.2	PROP	ACCOMMODATION REQUIREMENTS - CITY HALL	1997	1997	50																	
36.0	PROP	HILL PARK - POOL MECHANICAL/ELECTRICAL REFURBISHING	1997	1997	289																	
37.0	PROP	CITY HALL - BOILER REPLACEMENT	1997	1997	145																	
38.0	PROP	HAMILTON PLACE - PUMP REPLACEMENT	1997	1997	49																	
41.0	PROP	MACNAB RECREATION CENTRE - REPLACEMENT OF ROOF	1997	1997	169																	
65.0	FIRE	FIRE STATION - WOODWARD & MELVIN - DESIGN & CONSTRUCTION	1997	1998	2,469																	
68.0	FIRE	SECOND APPARATUS DOOR AT TWO FIRE STATIONS	1997	1997	106																	
73.2	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	1997	1997	1,314																	
75.1	ROAD	RAILWAY CROSSING - HILL RAIL INSTALLATION	1997	1997	95	10																
77.0	ROAD	REPLACEMENT OF VALLEY INN ROAD BRIDGE - CONSTRUCTION	1997	1997	842	526																
78.0	ROAD	STORM WATER NATURAL RETENTION SYSTEM - RYMAL ROAD EAST	1997	1997	200																	
81.2	TRAFF	TRAFFIC SIGNAL INSTALLATION AND MODERNIZATION	1997	1997	80	20																
83.2	PWD-L	CITY'S SHARE OF LOCALS - RESIDENTIAL	1997	1997	690	173																
85.2	PWD-L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM-LOCAL ROADS PHASE II	1997	1997	700	175																

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PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING										NATURE OF FUNDING	ANNUAL DEBT CHARGES	ANNUAL OPERATING COST
			START	FINISH	COST	SUBSIDY	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
86.2	PWD-L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM-LOCAL ROADS	1997	1997	7,670	1,918			5,752								DEB	906	
89.2	PWD-S	CONSTRUCTION - UPGRADING MAINTENANCE DEPOTS	1997	1997	50				50								CL		
95.0	PWD-S	SANDER WING FLOW UNIT	1997	1997	280				280								RDC		
108.3	C&R	HAMILTON PLAYSTRUCTURE REDEVELOPMENT	1997	1997	100				100								RPL		1
143.0	PWD-P	HARBORFRONT PARK DEVELOPMENT - PHASE I	1997	1998	1,314				834	460							DEB/RDC	104	76
146.0	PWD-P	GRASS MAINTENANCE EQUIPMENT	1997	1997	68				68								CL/RCP		18
150.2	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1997	1997	600				600								RPL		38
151.2	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	1997	1997	122	22			100								RPL		10
152.2	PWD-P	PARKLAND ACQUISITION	1997	1997	400				400								RPL		13
182.2	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	1997	1997	245				245								RCP-H		
185.2	HECFI	HAMILTON PLACE - REFURBISH SEATING IN THE GREAT HALL	1997	1997	200				200								CL		
186.0	HECFI	HAMILTON CONVENTION CENTRE - ROOFING SYSTEM REPLACEMENT	1997	1997	355				355								CL		
188.1	HECFI	COPPS COLISEUM - REFURBISH EXTERIOR ELECTRONIC SIGN	1997	1997	100				100								RCP-H		(90)
189.0	HECFI	HAMILTON CONVENTION CENTRE-REFURBISH BARS AND EQUIPMENT	1997	1997	100				100								RCP-H		
194.0	HPL	CENTRAL LIBRARY RENOVATIONS - PHASE II CONSTRUCTION	1997	1997	363				363								RCP-L		
Sub-total 1997 PROJECTS					21,286	3,844	0	0	14,810	2,632	0	0	0	0	0	0		1,438	59
(NET CITY COSTS - 17,442)																			
1998 Projects																			
3.3	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	1998	1998	1,000	1,000											RPP		
4.0	HD	UPGRADE OF ADA PRITCHARD AND MACASSA PARK APARTMENTS	1998	1999	1,339				1,060	279							DEB	211	
24.0	PROP	PROPERTY PURCHASES - GENERAL	1998	1998	300				300								RPP		
25.3	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	1998	1998	600				600								CL		
26.3	PROP	CUP-VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	1998	1998	90				90								CL		
27.3	PROP	ENERGY MANAGEMENT PROJECTS	1998	1998	100				100								CL		(20)
28.3	PROP	CONVERT AIR CONDITIONING EQUIPMENT FROM CFC11 TO SUVA-123	1998	1998	171				171								CL		
33.0	PROP	BALFOUR ESTATE - BUILDING ENVELOPE RESTORATION	1998	1998	193				193								CL		
34.3	PROP	ACCOMMODATION REQUIREMENTS - CITY HALL	1998	1998	50				50								CL		
40.0	PROP	MACNAB STREET TRUCK TUNNEL - RAMP HEATING	1998	1998	68				68								CL		
42.2	PROP	PROVISION FOR SPRINKLER SYSTEM - CITY BUILDINGS	1998	1998	700				700								CL		5
43.0	PROP	CENTRAL FIRE - MECHANICAL/ELECTRICAL REPAIRING	1998	1998	241				241								CL		
44.0	PROP	CENTRAL MEMORIAL - MECHANICAL/ELECTRICAL UPGRADE	1998	1998	145				145								CL/RCP		
73.3	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	1998	1998	1,335				1,335								RSTU/CL		
75.2	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	1998	1998	96	10			86								CL		
81.3	TRAFF	TRAFFIC SIGNAL INSTALLATION AND MODERNIZATION	1998	1998	82	20			62								CL		1
83.3	PWD-L	CITY'S SHARE OF LOCALS - RESIDENTIAL	1998	1998	710	178			532								CL		
86.3	PWD-L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM-LOCAL ROADS	1998	1998	7,900	1,975			5,925								DEB/CL	867	
89.3	PWD-S	CONSTRUCTION - UPGRADING MAINTENANCE DEPOTS	1998	1998	50				50								CL		

Schedule "A"

(Thousands of Dollars)

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1999 Projects

TENNIS COURT RE-DEVELOPMENT

The Corporation of the City of Hamilton
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PROJECTS BY YEAR & DEPARTMENT ORDER

(Thousands of Dollars)

APPROVED BY THE COMMITTEE OF THE WHOLE AND CITY COUNCIL ON 1995 MARCH 09

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT			GROSS RECEIPTS			NET FINANCING										NATURE OF FUNDING	ANNUAL DEBT CHARGES	ANNUAL OPERATING COST
			START	FINISH	COST	SUBSIDY	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	(18)	(19)			
111.3	C&R	TENNIS COURT RE-DEVELOPMENT	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)			CL		
111.4	C&R	TENNIS COURT RE-DEVELOPMENT	1999	1999	141						141								CL		
135.2	C&R	HAMILTON PLAYSTRUCTURE ADDITIONAL REDEVELOPMENT	1999	1999	100						100								CL		1
149.4	PWD-P	IVOR WYNNIE STADIUM - RENOVATIONS AND REPAIRS	1999	1999	90						90								CL		
150.4	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1999	1999	600						600								RPL		38
151.4	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	1999	1999	122	22					100								RPL		10
152.4	PWD-P	PARKLAND ACQUISITION	1999	1999	400						400								RPL		13
182.4	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	1999	1999	325						325								RCP-H		
192.2	HECFI	FACILITY MANAGEMENT SYSTEM	1999	1999	300						300								CL		73
Sub-total 1999 PROJECTS			(NET CITY COSTS - 12,653)			15,923	3,270	0	0	0	0	12,653	0	0	0	0				697	102

2000 Projects

3.5	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2000	2000	1,000	1,000													RPP		
25.5	PRO P	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2000	2000	700						700								RCP		
26.5	PRO P	CUP -VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2000	2000	100						100								CL		
27.5	PRO P	ENERGY MANAGEMENT PROJECTS	2000	2000	200						200								CL		(40)
34.5	PRO P	ACCOMMODATION REQUIREMENTS - CITY HALL	2000	2000	50						50								CL		
52.0	PRO P	MAJOR ACCOMMODATION REFURBISHING - CITY HALL	2000	2001	4,500						2,951	1,549							DEB	709	
54.0	PRO P	LAURIER RECREATION CENTRE - REROOFING	2000	2000	116						116								CL		
59.0	PRO P	WESTMOUNT RECREATION CENTRE - REPLACEMENT OF ROOF	2000	2000	116						116								CL		
71.0	PWD-F	REPLACEMENT OF COMPUTERIZED FUEL CONTROL SYSTEM	2000	2000	174						174								CL		
73.5	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBSIDIZED LANDS	2000	2000	1,377						1,377								RSTUL/CL		
75.4	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	2000	2000	98	10					88								CL		
81.5	TRAFF	TRAFFIC SIGNAL INSTALLATION AND MODERNIZATION	2000	2000	87	21					66								CL		1
84.1	PWD-L	CITY'S SHARE OF LOCALS - RESIDENTIAL	2000	2000	750	188					562								CL		
87.1	PWD-L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM-LOCAL ROADS	2000	2000	8,380	2,095					6,285								DEB/CL	480	
89.5	PWD-S	CONSTRUCTION - UPGRADING MAINTENANCE DEPOTS	2000	2000	50						50								CL		
144.0	PWD-P	PEDESTRIAN/BICYCLE LINKAGE COOTES PARADISE - HARBOURFRONT PARK	2000	2002	5,400	3,600					600	600	600	600					RDC		90
149.5	PWD-P	IVOR WYNNIE STADIUM - RENOVATIONS AND REPAIRS	2000	2000	90						90								CL		
150.5	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2000	2000	600						600								RDC		38
151.5	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	2000	2000	122	22					100								RPL		10
152.5	PWD-P	PARKLAND ACQUISITION	2000	2000	400						400								RPL		13
182.5	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2000	2000	300						300								RCP-H		
188.2	HECFI	COPPS COLISEUM - REFURBISH EXTERIOR ELECTRONIC SIGN	2000	2000	200						200								CL		
195.1	HPL	COLLECTION DEVELOPMENT	2000	2000	276						276								RDC		240
Sub-total 2000 PROJECTS			(NET CITY COSTS - 18,150)			25,086	6,936	0	0	0	0	15,401	2,149	600	0	0				1,189	352

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(Thousands of Dollars)

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PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING										NATURE OF FUNDING	ANNUAL DEBT CHARGES	ANNUAL OPERATING COST
			START	FINISH	COST	SUBSIDY	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
2001 Projects																			
3.6	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2001	2001	1,000	1,000											RPP		
25.6	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2001	2001	700								700				CL/RCP		
26.6	PROP	CUP-VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2001	2001	100								100				CL		
27.6	PROP	ENERGY MANAGEMENT PROJECTS	2001	2001	250								250				CL		(50)
34.6	PROP	ACCOMMODATION REQUIREMENTS - CITY HALL	2001	2001	50								50				CL		
42.4	PROP	PROVISION FOR SPRINKLER SYSTEM - CITY BUILDINGS	2001	2001	920								920				DEB	145	5
50.0	PROP	CHEDOKE CLUBHOUSE/PUMPHOUSE-REFURBISH/RETROFIT BUILDING SYSTEM	2001	2001	771								771				DEB	121	(20)
51.0	PROP	LIBRARY/MARKET - BOILER REPLACEMENT	2001	2001	217								217				CL		
53.0	PROP	LAURIER - MECHANICAL/ELECTRICAL REFURBISHING	2001	2001	299								299				CL		
55.0	PROP	WESTMOUNT RECREATION CENTRE - MECHANICAL/ELECTRICAL UPGRADE	2001	2001	145								145				CL		
60.0	PROP	RYERSON RECREATION CENTRE - REPLACEMENT OF ROOF	2001	2001	116								116				CL		
61.0	PROP	HILL PARK RECREATION CENTRE - REROOFING	2001	2001	97								97				CL		
62.0	PROP	KENILWORTH COMPOSITE BUILDING - MECHANICAL/ELECTRICAL RETROFIT	2001	2001	193								193				CL		
67.0	FIRE	FIRE STATION - RAY STREET - CONSTRUCTION	2001	2001	2,240								2,240				DEB	353	
73.6	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2001	2001	1,399								1,399				RSTUL/CL		
75.5	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	2001	2001	99	10							89				CL		
81.6	TRAFF	TRAFFIC SIGNAL INSTALLATION AND MODERNIZATION	2001	2001	90	22							68				CL		1
84.2	PWD-L	CITY'S SHARE OF LOCALS - RESIDENTIAL	2001	2001	775	194							581				CL		
87.2	PWD-L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM-LOCAL ROADS	2001	2001	8,630	2,158							6,472				DEB/CL	904	
89.6	PWD-S	CONSTRUCTION - UPGRADING MAINTENANCE DEPOTS	2001	2001	50								50				CL		
93.0	PWD-S	REFUSE PACKER - 25 CUBIC YARD, HIGH DENSITY	2001	2001	150								150				CL		204
97.0	PWD-S	SANDER WING FLOW UNIT	2001	2001	150								150				CL		163
113.2	C&R	DALEWOOD RECREATION CENTRE - RETROFIT - DESIGN & CONSTRUCTION	2001	2002	3,143								2,143	1,000			DEB	495	31
150.6	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2001	2001	600								600				RDC		38
151.6	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	2001	2001	122	22							100				RPL		10
152.6	PWD-P	PARKLAND ACQUISITION	2001	2001	400								400				RPL		13
157.0	PWD-P	PARKING LOT AND PATHWAY REPAIRS-VARIOUS LOCATIONS	2001	2001	1,160								1,160				CL		
176.0	PWD-P	REPLACE ARTIFICIAL TURF AT IVOR WYNNE STADIUM	2001	2001	2,000								2,000				DEB	315	
182.6	HECFT	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2001	2001	230								230				RCP-H		
195.2	HPL	COLLECTION DEVELOPMENT	2001	2001	290								290				RDC		240
203.0	PWD-C	FERGUSON AV IMPLEMENTATION-PEDESTRIAN/BIKE LINK-ESCARPMENT & BAY	2001	2003	5,225	2,585							800	1,000	840		DEB	416	104
204.0	PWD-C	STURDELEY SOUTH NEIGHBOURHOOD	2001	2001	551	138							413				CL		29
Sub-total 2001 PROJECTS			(NET CITY COSTS - 26,033)			32,162	6,129	0	0	0	0	0	23,193	2,000	840	0		2,749	768

Schedule "A"

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(Thousands of Dollars)

APPROVED BY THE COMMITTEE OF THE WHOLE AND CITY COUNCIL ON 1995 MARCH 09

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APPROVED BY THE COMMITTEE OF THE WHOLE AND CITY COUNCIL ON 1995 MARCH 09

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS COST	RECEIPTS		NET FINANCING												NATURE OF DEBT	ANNUAL OPERATING COST
			START	FINISH		SUBSIDY	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	FUNDING CHARGES				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)		
2003 Projects																					
3.8	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2003	2003	1,000	1,000											RPP				
25.8	PROF	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2003	2003	800										800		CL/RCP				
26.8	PROF	CUP - VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2003	2003	110										110		CL				
27.8	PROF	ENERGY MANAGEMENT PROJECTS	2003	2003	300										300		CL		(60)		
34.8	PROF	ACCOMMODATION REQUIREMENTS - CITY HALL	2003	2003	50										50		CL				
57.0	PROF	FOOTBALL HALL OF FAME - MECHANICAL/ELECTRICAL RETROFIT	2003	2003	251										251		CL				
63.0	PROF	ROSEDALE ARENA - MECHANICAL/ELECTRICAL UPGRADE	2003	2003	386										386		CL				
69.0	FIRE	FIRE STATION - KENILWORTH AVENUE - DESIGN & CONSTRUCTION	2003	2004	3,300										1,300	2,000	DEB	520			
73.8	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2003	2003	1,444										1,444		RSTUL/CL				
75.7	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	2003	2003	101	10									91		CL				
81.8	TRAFF	TRAFFIC SIGNAL INSTALLATION AND MODERNIZATION	2003	2003	95	24									71		CL		1		
84.4	PWD-L	CITY'S SHARE OF LOCALS - RESIDENTIAL	2003	2003	820	205									615		CL				
87.4	PWD-L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM-LOCAL ROADS	2003	2003	9,160	2,290									6,870		DEB/CL	766			
89.8	PWD-S	CONSTRUCTION - UPGRADING MAINTENANCE DEPOTS	2003	2003	50										50		CL				
110.1	C&R	HAMILTON AQUATIC CENTRE - FEASIBILITY STUDY	2003	2003	30										30		RDC				
118.2	C&R	WADING POOL CONVERSIONS	2003	2003	100										100		CL		5		
118.3	C&R	WADING POOL CONVERSIONS	2003	2003	100										100		CL		5		
145.0	PWD-P	HARBOURFRONT PARK DEVELOPMENT - PHASE II	2003	2003	3,455	1,000									2,455		DEB/RDC	198	60		
150.8	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2003	2003	600										600		RDC		38		
151.8	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	2003	2003	122	22									100		RPL		10		
152.8	PWD-P	PARKLAND ACQUISITION	2003	2003	400										400		RPL		13		
182.8	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2003	2003	180										180		RCP-H				
206.0	PWD-C	BLAKELEVST. CLAIR REVITALIZATION	2003	2003	532	132									400		CL		29		
208.0	PWD-C	COMMERCIAL IMPROVEMENT PROGRAMME - PHASE II	2003	2004	2,500										1,000	1,500	DEB	394	88		
212.0	PLAN	OFFICIAL PLAN REVIEW	2003	2004	250										250		CL				
Sub-total 2003 PROJECTS			(NET CITY COSTS - 21,453)		26,136	4,683	0	0	0	0	0	0	0	0	17,953	3,500		1,878	189		
2004 Projects																					
3.9	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2004	2004	1,000	1,000											RPP				
25.9	PROF	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2004	2004	900											900		CL			
26.9	PROF	CUP - VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2004	2004	120											120		CL			
27.9	PROF	ENERGY MANAGEMENT PROJECTS	2004	2004	300											300		CL	(60)		
34.9	PROF	ACCOMMODATION REQUIREMENTS - CITY HALL	2004	2004	50											50		CL			
73.9	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2004	2004	1,467											1,467		RSTUL/CL			
75.8	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	2004	2004	102	10										92		CL			

The Corporation of the City of Hamilton

1995-2004 CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR & DEPARTMENT ORDER

(Thousands of Dollars)

APPROVED BY THE COMMITTEE OF THE WHOLE AND CITY COUNCIL ON 1995 MARCH 09

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS COST	RECEIPTS		NET FINANCING												NATURE OF DEBT	ANNUAL CHARGES	ANNUAL OPERATING COST
			START	FINISH		SUBSIDY	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	FUNDING					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)			
81.9	TRAFF	TRAFFIC SIGNAL INSTALLATION AND MODERNIZATION	2004	2004	97	25										72	CL		1			
84.5	PWD-L	CITY'S SHARE OF LOCALS - RESIDENTIAL	2004	2004	845	210										635	RCP/CL					
87.5	PWD-L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM-LOCAL ROADS	2004	2004	9,445	2,360										7,085	DEB/CL	1,060				
89.9	PWD-S	CONSTRUCTION - UPGRADING MAINTENANCE DEPOTS	2004	2004	50											50	CL					
94.0	PWD-S	REFUSE PACKER - 25 CUBIC YARD, HIGH DENSITY	2004	2004	170											170	CL		215			
98.0	PWD-S	SANDER WING PLOW UNIT	2004	2004	160											160	CL		175			
110.2	C&R	HAMILTON AQUATIC CENTRE - CONSTRUCTION	2004	2006	19,358	6,400										12,958	DEB/RDC	1,021	550			
111.5	C&R	TENNIS COURT RE-DEVELOPMENT	2004	2004	46											46	CL					
111.6	C&R	TENNIS COURT RE-DEVELOPMENT	2004	2004	25											25	CL					
111.7	C&R	TENNIS COURT RE-DEVELOPMENT	2004	2004	11											11	CL					
111.8	C&R	TENNIS COURT RE-DEVELOPMENT	2004	2004	137											137	CL					
111.9	C&R	TENNIS COURT RE-DEVELOPMENT	2004	2004	28											28	CL		340			
115.2	C&R	EASTWOOD ARENA - RETROFIT - DESIGN & CONSTRUCTION	2004	2005	2,652											2,652	DEB	418				
116.1	C&R	WESTMOUNT RECREATION CENTRE-RETROFIT-FEASIBILITY STUDY	2004	2004	22											22	CL					
116.2	C&R	WESTMOUNT RECREATION CENTRE - RETROFIT - DESIGN & CONSTRUCTION	2004	2006	3,882											3,882	DEB	612	95			
120.0	C&R	HAMILTON EAST KIWANIS BOYS & GIRLS CLUB	2004	2004	7,014	3,182										3,832	DEB	604				
124.0	C&R	STONE WALL RESTORATION - WHITEHERN	2004	2004	160											160	CL					
142.0	PWD-P	GORE PARK IMPROVEMENTS	2004	2004	370	150										220	CL					
149.6	PWD-P	IVOR WYNNE STADIUM - RENOVATIONS AND REPAIRS	2004	2004	100											100	CL					
150.9	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2004	2004	600											600	RDC		38			
151.9	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	2004	2004	122	22										100	RPL		10			
152.9	PWD-P	PARKLAND ACQUISITION	2004	2004	400											400	RPL		13			
153.0	PWD-P	PARKLAND ACQUISITION	2004	2004	278											278	CL		4			
156.0	PWD-P	LANDSCAPING - HARBOURFRONT CSO TANK	2004	2004	90											90	CL					
182.9	HECFI	BRIAN TIMMIS - FENCE REPLACEMENT	2004	2004	300											300	RCP-H					
201.0	HPL	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2004	2004	498											498	RDC					
209.0	HPL	NEW BRANCH - SOUTH WEST MOUNTAIN - DESIGN PHASE	2004	2004	800											800	CL		21			
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS - PHASE VI	2004	2005	800																	
210.0	PWD-C																					

The Corporation of the City of Hamilton
1995-2004 CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR & DEPARTMENT ORDER

(Thousands of Dollars)

APPROVED BY THE COMMITTEE OF THE WHOLE AND CITY COUNCIL ON 1995 MARCH 09

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING										NATURE OF FUNDING		ANNUAL CHARGES	ANNUAL OPERATING COST
			START	FINISH	COST	SUBSIDY	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	1995	1996		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	

Parking Authority Projects:

1995 Projects

216.0	PA	UPGRADING - EXISTING FACILITIES	1995	1995	100		100										ROSP		
217.0	PA	STUDY & DESIGN - EXISTING AND FUTURE PARKING PROJECTS	1995	1995	50		50										ROSP		
Sub-total 1995 PROJECTS			(NET CITY COSTS - 150)		150	0	150	0	0	0	0	0	0	0	0	0		0	0

1996-2004 Projects

216.1	PA	UPGRADING - EXISTING FACILITIES	1996	2004	900			100	100	100	100	100	100	100	100	100	ROSP		
217.1	PA	STUDY & DESIGN - EXISTING AND FUTURE PARKING PROJECTS	1996	2004	450			50	50	50	50	50	50	50	50	50	ROSP		
Sub-total 1996-2004 PROJECTS			(NET CITY COSTS - 1,350)		1,350	0	0	150	150	150	150	150	150	150	150	150		0	0

Total 1995-2004 PROJECTS (Parking Author/NET CITY COSTS - 1,500)

TOTAL 1995-2004 CAPITAL RECOMMENDED PROGRAM (Net Cost 212,714)

264,388	51,674	17,215	16,038	18,311	19,213	13,082	15,551	25,492	18,723	21,193	47,876	17,287	4,987
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Schedule "A"

(Thousands of Dollars)

NATURE ANNUAL ANNUAL

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The Corporation of the City of Hamilton
1995-2004 CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR & DEPARTMENT ORDER

(Thousands of Dollars)

APPROVED BY THE COMMITTEE OF THE WHOLE AND CITY COUNCIL ON 1995 MARCH 09

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT			GROSS RECEIPTS		NET FINANCING												NATURE OF	ANNUAL DEBT OPERATING CHARGES	ANNUAL COST
			START (4)	FINISH (5)	(3)	COST (6)	SUBSIDY (7)	1995 (8)	1996 (9)	1997 (10)	1998 (11)	1999 (12)	2000 (13)	2001 (14)	2002 (15)	2003 (16)	2004 (17)	(18)	(19)			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)			
PROJECTS FOR FUTURE CONSIDERATION (Outside the Ten-Year Plan): (Projects below the cut off point)																						
35.1	PROJ	PROPERTY PURCHASES - GENERAL	1996	1996	300		300															
35.2	PROJ	PROPERTY PURCHASES - GENERAL	1997	1997	300			300														
35.3	PROJ	PROPERTY PURCHASES - GENERAL	1998	1998	300				300													
35.4	PROJ	PROPERTY PURCHASES - GENERAL	1999	1999	300					300												
35.5	PROJ	PROPERTY PURCHASES - GENERAL	2000	2000	300						300											
35.6	PROJ	PROPERTY PURCHASES - GENERAL	2001	2001	400							400										
35.7	PROJ	PROPERTY PURCHASES - GENERAL	2002	2002	400								400									
35.8	PROJ	PROPERTY PURCHASES - GENERAL	2003	2003	400									400								
35.9	PROJ	PROPERTY PURCHASES - GENERAL	2004	2004	400										400							
70.0	FIRE	INDOOR TRAINING FACILITY	2001	2003	5,400																	
105.0	PWD-S	FORESTRY RENOVATIONS - UPPER OTTAWA YARD	2000	2000	90							90										
106.0	PWD-S	CONSTRUCT SERVICE GARAGE - BRAMPTON YARD	2003	2004	1,284																	
114.1	C&R	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	1995	1995	100			100														
114.2	C&R	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	1996	1996	100				100													
114.3	C&R	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	1997	1997	100					100												
114.4	C&R	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	1998	1998	100						100											
114.5	C&R	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	1999	1999	100							100										
117.1	C&R	PUBLIC ART PROGRAMME	1995	1995	120			120														
117.2	C&R	PUBLIC ART PROGRAMME	1996	1996	120				120													
117.3	C&R	PUBLIC ART PROGRAMME	1997	1997	120					120												
121.1	C&R	CHILDREN'S MUSEUM RE-DEVELOPMENT - FEASIBILITY STUDY	1995	1995	20			20														
121.2	C&R	CHILDREN'S MUSEUM RE-DEVELOPMENT - DESIGN & CONSTRUCTION	1996	1998	5,838	1,952				719	2,035	1,132										
122.0	C&R	HAMILTON-SCOURGE PROJECT - DATA BASE MANAGEMENT PLAN	1995	1996	232	74	88	70														
123.1	C&R	SOUTH EAST MOUNTAIN RECREATION CENTRE - FEASIBILITY STUDY	2002	2002	31																	
123.2	C&R	SOUTH EAST MOUNTAIN RECREATION CENTRE - DESIGN & CONSTRUCTION	2003	2005	11,753	4,200																
125.1	C&R	BIKEWAY DEVELOPMENT	2000	2000	100							100										
125.2	C&R	BIKEWAY DEVELOPMENT	2001	2001	100								100									
125.3	C&R	BIKEWAY DEVELOPMENT	2002	2002	100									100								
125.4	C&R	BIKEWAY DEVELOPMENT	2003	2003	100										100							
125.5	C&R	BIKEWAY DEVELOPMENT	2004	2004	100											100						
126.2	C&R	WHITEHERN STABLE RENOVATION - CONSTRUCTION	1996	1997	430	150		68	212													
127.1	C&R	SOUTH WEST MOUNTAIN RECREATION CENTRE - STUDY	2002	2002	31									31								
127.2	C&R	SOUTH WEST MOUNTAIN RECREATION CENTRE - DESIGN & CONSTRUCTION	2003	2005	11,753	4,266									1,402	6,085		1,180	700			
128.0	C&R	PARKING LOT - STEAM MUSEUM	1995	1996	310		50	260											49			

If debentured

The Corporation of the City of Hamilton
1995 - 2004 CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR & DEPARTMENT ORDER

(Thousands of Dollars)

APPROVED BY THE COMMITTEE OF THE WHOLE AND CITY COUNCIL ON 1995 MARCH 09

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING												NATURE OF	ANNUAL DEBT	ANNUAL OPERATING CHARGES	ANNUAL COST
			START	FINISH	COST	SUBSIDY	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	FUNDING	(18)				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)			
PROJECTS FOR FUTURE CONSIDERATION (Outside the Ten - Year Plan): (Projects below the cut off point)																						
129.1	C&R	MILITARY MUSEUM REDEVELOPMENT - FEASIBILITY STUDY	1995	1995	25	25																
129.2	C&R	MILITARY MUSEUM REDEVELOPMENT - DESIGN & CONSTRUCTION	1997	1999	4,290	1,438			555	1,402	895							449	150			
130.0	C&R	DUNDURN CASTLE RESTORATION - LANDSCAPE AND GARDENER'S COTTAGE	1999	1999	1,600	533				1,067								168	70			
131.1	C&R	STEAM MUSEUM 1913 BUILDING RESTORATION - FEASIBILITY STUDY	1997	1997	25			25										4				
131.2	C&R	STEAM MUSEUM 1913 BUILDING RESTORATION	1998	1999	1,400	475				400	525							146	10			
132.0	C&R	INDOOR MULTI-SPORTS COMPLEX	2003	2005	11,977											1,417	10,560	1,887	600			
133.1	C&R	MUSEUM STORAGE FACILITY AND LAB - FEASIBILITY STUDY	2000	2000	20							20						3				
133.2	C&R	MUSEUM STORAGE FACILITY AND LAB - DESIGN & CONSTRUCTION	2001	2003	4,221	1,414							541	1,399	867			442	400			
136.0	C&R	MOUNTAIN Y.M.C.A. PROPOSAL	1997	1998	8,000	4,000			2,500	1,500								630				
137.0	C&R	RYERSON THERAPEUTIC HOT POOL	1995	1995	525		525											83	25			
147.0	PWD	P WEST HARBOURFRONT DEVELOPMENT STUDIES - PHASE I	1995	1996	100		50	50										16				
148.0	PWD	P WEST HARBOURFRONT DEVELOPMENT STUDIES - PHASE II	1997	2004	400				50	50	50	50	50	50	50	50		63				
158.1	PWD	P PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME - PHASE II	2000	2000	600							600						95	38			
158.2	PWD	P PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME - PHASE II	2001	2001	600								600					95	38			
158.3	PWD	P PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME - PHASE II	2002	2002	600									600				95	38			
158.4	PWD	P PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME - PHASE II	2003	2003	600										600			95	38			
158.5	PWD	P PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME - PHASE II	2004	2004	600											600		95	38			
159.0	PWD	P TURNER PARK DEVELOPMENT PHASE II	2000	2002	2,400							800	800	800				378	70			
160.0	PWD	P HAMILTON BEACH BREEZEWAY DEVELOPMENT	1995	1997	2,000	2,000												0	30			
161.0	PWD	P MACCASSA PARK DEVELOPMENT	1995	1996	333		165	168										52	9			
162.0	PWD	P CRYSTAL PALACE - STUDY AND CONSTRUCTION	2003	2003	8,151	7,151									1,000			158	50			
163.0	PWD	P MOUNTAIN BROW PARKLAND LANDSCAPING	2003	2004	1,581										984	597		249	12			
164.0	PWD	P SOCCER FACILITIES DEVELOPMENT	2000	2002	396							170	118	108				62	20			
165.0	PWD	P IRRIGATION SYSTEMS - VARIOUS LOCATIONS	2000	2003	1,485							250	235	500	500			234				
166.0	PWD	P CHEDOKE GOLFSKI IMPROVEMENTS	2000	2000	579							579						91				
167.0	PWD	P LIGHTING - FACILITY ENHANCEMENT - VARIOUS LOCATIONS	2001	2001	788								788					124	14			
168.0	PWD	P LANDSCAPE COMPONENT - UPPER KENILWORTH AVENUE	2000	2000	81							81						13	3			
169.0	PWD	P GAGE PARK FENCING REPLACEMENT	2000	2000	180							180						28				
170.0	PWD	P SACKVILLE HILL MEMORIAL PARK DEVELOPMENT	2000	2000	719	150						569						90	8			
171.0	PWD	P WILLIAM CONNELL PARK DEVELOPMENT	2000	2001	1,850							900	950					291	80			
173.0	PWD	P MOHAWK SPORTS PARK DEVELOPMENT	2000	2001	4,000							2,000	2,000					630	80			
174.0	PWD	P OPEN SPACE CORRIDOR - STUDY AND CONSTRUCTION	2000	2003	1,280							50	400	410	420			202	76			
175.0	PWD	P IVOR WYNNE STADIUM - ELECTRICAL SERVICE & CONCESSION EQUIPMENT	2000	2000	64							64						10				
177.0	PWD	P IVOR WYNNE STADIUM - REPLACE AND UPGRADE SEATING	2004	2004	1,670											1,670		263				

If debentured

The Corporation of the City of Hamilton
1995-2004 CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR & DEPARTMENT ORDER

(Thousands of Dollars)

APPROVED BY THE COMMITTEE OF THE WHOLE AND CITY COUNCIL ON 1995 MARCH 09

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING													NATURE OF FUNDING	ANNUAL DEBT CHARGES	ANNUAL OPERATING COST
			START	FINISH	COST	SUBSIDY	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	(18)	(19)	(20)			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)			
PROJECTS FOR FUTURE CONSIDERATION (Outside the Ten-Year Plan): (Projects below the cut off point)																						
178.0	PWD-P	IVOR WYNN STADIUM - WEST END ZONE EXPANSION	2004	2004	5,475											5,475						
179.0	PWD-P	WATERFRONT DEVELOPMENT	2000	2004	100,000	90,000						2,500	2,500	2,500	2,500							
180.0	PWD-P	PARK DEVELOPMENT - UNDEVELOPED SITES	2004	2004	5,278											5,278						
195.3	HPL	COLLECTION DEVELOPMENT	1999	2001	960						305	320	335									
196.0	HPL	MUNICIPAL ARCHIVES - DESIGN PHASE	1999	1999	1,487						1,487											
197.0	HPL	MUNICIPAL ARCHIVES - CONSTRUCTION PHASE	2000	2001	10,433							6,185	4,248									
198.0	HPL	NEW BRANCH - SOUTH EAST MOUNTAIN - DESIGN PHASE	2003	2003	804											804						
199.0	HPL	NEW BRANCH - SOUTH EAST MOUNTAIN - CONSTRUCTION PHASE	2004	2005	5,386											5,386		849	895			
200.0	HPL	NEW BRANCH - SOUTH EAST MOUNTAIN - LIBRARY COLLECTION PHASE	2004	2006	3,312											3,312		522				
213.0	PLAN	ALBION FALLS OPEN SPACE ACQUISITION	1997	1999	2,800	2,400												63				
214.0	PLAN	PROPERTY ACQUISITION PROGRAM - ALPHA EAST ENCLAVE	1996	1997	1,300	155												180				
215.0	X	GENERAL CAPITAL CONTINGENCY	1995	1995	500		500											79				
215.1	X	GENERAL CAPITAL CONTINGENCY	1996	1996	500			500										79				
215.2	X	GENERAL CAPITAL CONTINGENCY	1997	1997	500				500									79				
215.3	X	GENERAL CAPITAL CONTINGENCY	1998	1998	500					500								79				
215.4	X	GENERAL CAPITAL CONTINGENCY	1999	1999	500						500							79				
215.5	X	GENERAL CAPITAL CONTINGENCY	2000	2000	500							500						79				
215.6	X	GENERAL CAPITAL CONTINGENCY	2001	2001	500								500					79				
215.7	X	GENERAL CAPITAL CONTINGENCY	2002	2002	500									500				79				
215.8	X	GENERAL CAPITAL CONTINGENCY	2003	2003	500										500			79				
215.9	X	GENERAL CAPITAL CONTINGENCY	2004	2004	500											500		79				
Sub-total			No Specific Funding Recommended			(NET CITY COST - 126,649)																
			247,007	120,358	1,643	2,855	7,142	5,484	5,429	16,308	15,215	9,769	15,456	47,348			19,959	6,976				

NOTE: GROWTH RELATED PROJECT - TIMING DEPENDS ON THE AVAILABILITY OF FUNDING FROM THE RESERVE FOR DEVELOPMENT CHARGES.

BUDGET AS PROPOSED REFLECTS PROJECTED DEVELOPMENT CHARGE FUNDING A VAILABILITY BASED UPON THE PROPOSED DEVELOPMENT CHARGES BY-LAW.

DEPARTMENT ABBREVIATION:

BLDG	BUILDING	IS	INFORMATION SYSTEMS	PWD-F	PUBLIC WORKS - FLEET SERVICES	PROP	PROPERTY DEPARTMENT
C&R	CULTURE AND RECREATION	PA	PARKING AUTHORITY	PWD-L	PUBLIC WORKS - LOCAL ROADS	ROAD	REGIONAL TRANSPORTATION SERVICE
HD	HOUSING DEPARTMENT	PLAN	PLANNING	PWD-P	PUBLIC WORKS - PARKS DIVISION	TR	TREASURY
HPL	HAMILTON PUBLIC LIBRARY	PWD-C	PUBLIC WORKS - COMMUNITY RENEWAL	PWD-S	PUBLIC WORKS - STREETS DIVISION	TRAF	TRAFFIC

**The Corporation of the City of Hamilton
1995-2004 CAPITAL BUDGET PROGRAM**

Appendix "B" to
to in Section 1
SECOND Report of the
Committee of the Whole
for 1995.

PROJECTED DEBT, YEARLY INCREASE OF DEBT CHARGES AND DEBT CHARGES AS A % OF ADJUSTED LEVY AND GROSS CURRENT BUDGET
FINANCIAL IMPACT - Approved by the Committee of the Whole and City Council on 1995 March 09

(Thousands of Dollars)

Line No.	Description	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	Total
1	DEBT TO BE ISSUED FOR PRIOR APPROVAL		14,905	9,136	1,550	1,000	1,000	1,000	1,603					30,194
2	PROJECTED NEW DEBT TO BE ISSUED		9,692	7,433	6,842	9,639	4,701	5,995	16,161	9,681	11,509	28,048		109,701
3	Total Projected Debt to be Issued	0	24,597	16,569	8,392	10,639	5,701	6,995	17,764	9,681	11,509	28,048	0	139,895
4														2006
5	DEBT CHARGES, if new debt approved in - 1995			2,348	3,875	3,875	3,875	3,875	3,875	3,875	3,875	3,875	3,875	1,527
6	DEBT CHARGES, if new debt approved in - 1996					2,610	2,610	2,610	2,610	2,610	2,610	2,610	2,610	2,610
7	DEBT CHARGES, if new debt approved in - 1997						1,322	1,322	1,322	1,322	1,322	1,322	1,322	1,322
8	DEBT CHARGES, if new debt approved in - 1998							1,676	1,676	1,676	1,676	1,676	1,676	1,676
9	DEBT CHARGES, if new debt approved in - 1999								898	898	898	898	898	898
10	DEBT CHARGES, if new debt approved in - 2000									1,102	1,102	1,102	1,102	1,102
11	DEBT CHARGES, if new debt approved in - 2001										2,799	2,799	2,799	2,799
12	DEBT CHARGES, if new debt approved in - 2002											1,525	1,525	1,525
13	DEBT CHARGES, if new debt approved in - 2003												1,813	1,813
14	DEBT CHARGES, if new debt approved in - 2004													4,419
15	Proposed Debt Charges		0	2,348	3,875	6,485	7,807	9,483	10,381	11,483	14,282	15,807	17,620	19,691
16	PRESENT DEBT CHARGES	15,206	15,059	12,973	10,608	9,848	8,107	6,516	6,521	6,511	3,486	3,067	1,255	1,255
17	Total Debt Charges paid out of Mill Rate	15,206	15,059	15,321	14,483	16,333	15,914	15,999	16,902	17,994	17,768	18,874	18,875	20,946
18	Transfer to/(from) reserve for Debt Charges			(262)	262									
19	TOTAL DEBT CHARGES TO BE BUDGETED	15,206	15,059	15,059	14,745	16,333	15,914	15,999	16,902	17,994	17,768	18,874	18,875	20,946
20	NOTE - DELAYED FINANCING: DEBENTURE FINANCING													
21	DEBT CHARGES - Increase over Prior Year - Amount	189	(147)	0	(314)	1,588	(419)	85	903	1,092	(226)	1,106	1	2,071
22	DEBT CHARGES - Increase over Prior Year - As a %	1.3%	-1.0%	0.0%	-2.1%	10.8%	-2.6%	0.5%	5.6%	6.5%	-1.3%	6.2%	0.0%	11.0%
23	Debt Charges - Average compound rate of increase 1997 - 2004											3.28%		
24	Debt Charges - Average compound rate of increase 1995 - 2004											2.18%		
25	DEBT CHARGES AS A % OF LEVY	11.65%	11.56%	11.56%	11.10%	12.05%	11.51%	11.34%	11.75%	12.26%	11.87%	12.36%	12.12%	13.19%
26	Debt Charges to Levy - Average Increase 1995 - 2004											11.74%		
27	Debt Charges as a % of Own Source of Revenue	8.79%	8.71%	8.71%	8.36%	9.07%	8.67%	8.54%	8.85%	9.24%	8.94%	9.31%	9.13%	9.93%
28	Debt Charges as a % of Gross Budget	9.18%	9.10%	9.10%	8.73%	9.48%	9.06%	8.93%	9.25%	9.65%	9.34%	9.73%	9.54%	10.38%
29	ASSUMPTIONS:													
30	- Capital Levy Provision in the Current Budget	2,200	3,014	4,039	5,074	6,119	6,150	6,180	6,211	6,242	6,274	6,305	6,336	6,368
31	- Adjusted Levy (Inc. 1995 to 96 - 0%, Other - 2% Annually)	130,547	130,287	130,287	132,893	135,551	138,262	141,027	143,848	146,725	149,660	152,653	155,706	158,820
32	- Current Budget (Annual Increase - same as above)	165,569	165,569	165,569	168,880	172,258	175,703	179,217	182,801	186,457	190,186	193,990	197,870	201,827
33	- Own Source of Revenue (Annual Increase - same as above)	172,990	172,990	172,990	176,450	179,979	183,579	187,251	190,996	194,816	198,712	202,686	206,740	210,875
34	- Interest Rate - Amortized over 10 Years @ 9.25% per annum - Annual Debt Charges Payment per \$ 1,000 is \$						157,543							
35	- The previous Capital Levy Policy of SIX MILLS has now been provided as 2.2 million for 1994 (SAME AS 1993), 3 MILLS for 1995, 4 MILLS for 1996, 5 MILLS for 1997, 6 MILLS for 1998 & on.													
36	- Assessment growth (Increase @ -0.11% for 1995 & 0.5% 1996 & on)	1,005,817	1,004,699	1,009,722	1,014,771	1,019,845	1,024,944	1,030,069	1,035,219	1,040,395	1,045,597	1,050,825	1,056,079	1,061,359

Minutes of Hamilton City Council
Tuesday, 1995 March 14
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Acting Mayor Jackson
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Agostino, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico.

Absent: Mayor R. Morrow - vacation

Acting Mayor Jackson called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Reverend Brant Loper, Binkley United Church led Council in prayer.

PRESENTATIONS

A Certificate of Recognition was presented to the following citizens who have served on City Committees/Boards/Commissions

- (a) Nirmal Takhar - Committee of Adjustment
- (b) J. Cameron Nolan - HECFI
- (c) Robert Helwig - Hamilton Region Conservation Authority
- (d) John Syko - Public Library Board
- (e) Lindsay Nelson - Land Division Committee

ADOPTION OF MINUTES

The minutes of the following meetings were adopted as circulated:

- (a) 1995 February 28 - regular meeting
- (b) 1995 March 2 - special meeting
- (c) 1995 March 7 - special meeting
- (d) 1995 March 9 - special meeting

CORRESPONDENCE

1. Letter dated February 23, 1995 from Centennial Credit Union Limited, Hamilton, Ontario for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to "G" Neighbourhood Shopping Centre, etc.) District for 220 and 222 Burlington Street East, Hamilton, Ontario.

Received.

2. Letter dated March 7, 1995 from 90074 Ontario Inc., Hamilton, Ontario for changes in zoning from "C" (Urban Protected Residential, etc.) District to "G" (Neighbourhood Shopping Centre, etc.) District, modified, for Block "1", "AA" (Agricultural) District to "G" (Neighbourhood Shopping Centre, etc.) District, modified for Block "2", "AA" (Agricultural) District to "RT-30" (Street Townhouse) District for Blocks "3" and "4", and "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for Block "5", for lands located at Nos. 1441 - 1477 Upper James Street, Hamilton, Ontario.

Received.

3. Letter from J. J. Schatz, City Clerk advising of objections to By-law 95-033 respecting property at Ainslie Wood Neighbourhood, Ainslie Wood East Neighbourhood, Ainslie Wood North Neighbourhood and Ainslie Wood West Neighbourhood.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance

and Administration Committee, the Report of the Hamilton-Scourge Steering Committee, and the Nominating Committee be considered in Committee of the Whole with Alderman Agostino in the chair.

Recorded vote.

YEAS: Acting Mayor Jackson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FOURTH REPORT
--

Section 1 Re: Stop sign - Beach Road

It was moved by Alderman Merling and seconded by Alderman Morelli that Section 1 of the FOURTH Report of the Transport and Environment Committee for 1995 be amended by deleting in the second line the words "Rowanwood Avenue" and inserting in lieu thereof the words "Beach Road".

CARRIED.

* * * * *

Section 22 Re: Ministry of the Environment and Energy - Hotz Environmental Services - 239 Lottridge Street.

Recorded vote.

YEAS: Acting Mayor Jackson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Section 23 Re: Ministry of the Environment and Energy - Royal Recycling -15 Bigger Avenue

Recorded vote.

YEAS: Acting Mayor Jackson, Aldermen Caplan, Agro, McCulloch, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Kiss, Drury, Morelli, Copps, -4. **CARRIED.**

* * * * *

Section 24 Re: Local Improvement Construction

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Acting Mayor Jackson. -1. **CARRIED.**

* * * * *

Section 27 Re: Crescent Oil Company of Canada Ltd.

Recorded vote.

YEAS: Acting Mayor Jackson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1. **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE - EIGHTH REPORT

Section 3 (b) OHRP

It was moved by Alderman Drury and seconded by Alderman Morelli that Section 3(b) of the EIGHTH Report of the Planning and Development Committee for 1995 be amended by deleting in the second line the words "\$4.8-million" and inserting in lieu thereof the words "\$4.5-million".

CARRIED.

* * * * *

Section 5 Re: Urbacore Management Ltd. - 1365 Limeridge Road East

Recorded vote.

YEAS: Acting Mayor Jackson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Charters. -1.

CARRIED.

* * * * *

Section 6 Re: Paletta International Corporation - Rymal Business Centre No. 1

Alderman V. Agro declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Agro has a business relationship with an affiliate company.

* * * * *

Section 10 Re: Denial of Zoning Application - 93-37 - 986-998 Upper Wentworth Street

It was moved by Alderman Anderson and seconded by Alderman Merling that Section 10 of the Eighth Report of the Planning and Development Committee be referred back. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - EIGHTH REPORT

HAMILTON-SCOURGE PROJECT STEERING COMMITTEE - FIRST REPORT

NOMINATING COMMITTEE - THIRD REPORT

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the

Planning and Development Committee, the Finance and Administration Committee, the Report of the Hamilton-Scourge Steering Committee, and the Nominating Committee be adopted.

Recorded vote.

YEAS: Acting Mayor Jackson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

BILLS

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills be now read a first time:

A-17, A-18, A-19, A-20, A-21, A-22, A-23, A-24, A-25, A-26.
C-20, C-21, C-22.
D-18, D-19.

Recorded vote.

YEAS: Acting Mayor Jackson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the following Bills, with Alderman Agostino in the chair. (second reading).

A-17, A-18, A-19, A-20, A-21, A-22, A-23, A-24, A-25, A-26.
C-20, C-21, C-22.
D-18, D-19.

Recorded vote.

YEAS: Acting Mayor Jackson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the following Bills, be adopted:

A-17, A-18, A-19, A-20, A-21, A-22, A-23, A-24, A-25, A-26.
C-20, C-21, C-22.
D-18, D-19.

Recorded vote.

YEAS: Acting Mayor Jackson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-17, A-18, A-19, A-20, A-21, A-22, A-23, A-24, A-25, A-26.
C-20, C-21, C-22.
D-18, D-19.

Recorded vote.

YEAS: Acting Mayor Jackson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

1995 March 14

* * * * *

City Council then adjourned at 8:10 o'clock p.m.

* * * * *

Taken as read and approved.

ACTING MAYOR JACKSON

J. J. Schatz, City Clerk
1995 March 14

JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FOURTH** Report for 1995 and respectfully recommends:

1. That the stop sign at the intersection of Beach Road and Rowanwood Avenue be removed and relocated to the intersection of Depew Street and ~~Beach Road~~ on a six month trial basis and that the City Traffic By-law 89-72 be amended accordingly. **AMENDED.**
2. That the appropriate by-law for the stop-up, close and sale of a portion of the north/south alley east of 1 Young Street, designated as Part 7, on Plan 62R-12633, be approved.
3. That a "Wheelchair Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the east side of Palmer Road commencing at a point 111 feet south of the extended south curb line of Rosanne Crescent and extending to a point 30 feet southerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
4.
 - (a) That the existing "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the south side of Market Street commencing at a point 94 feet west of Queen Street North and extending to a point 238 feet westerly therefrom, be removed; and,
 - (b) That a "No Stopping" regulation be implemented on the south side of Market Street commencing at a point 94 feet west of Queen Street North and extending to a point 90 feet westerly therefrom; and,
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
5. That a "No Stopping" regulation be implemented on the west side of Riverdale Drive commencing at a point 93 feet south of the south curb line of Jerome Crescent and extending to a point 51 feet southerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.

6.
 - (a) That the existing "No Parking" regulation on the west side of East 22nd Street which commences at a point 69 feet south of Concession Street and extends to a point 40 feet southerly therefrom, be replaced with two-hour parking meters; and,
 - (b) That the existing "No Parking" regulation on the west side of Cliff Avenue commencing at Concession Street and extending to a point 110 feet northerly therefrom be replaced with two-hour parking meters; and,
 - (c) That the existing 110 foot "No Parking" regulation on the east side of Cliff Avenue, north of Concession be extended 51 feet northerly; and,
 - (d) That the City Traffic By-law 89-72 be amended accordingly.
7. That the existing "No Parking" regulation on the south side of Devon Place commencing at Longwood Road North and extending to a point 112 feet westerly therefrom be extended to Bond Street North, and that the City Traffic By-law 89-72 be amended accordingly.
8. That the existing "Permit Parking" regulation on the south side of Forest Avenue commencing at a point 128 feet west of John Street South and extending to a point 23 feet westerly therefrom, be removed and that the City Traffic By-law 89-72 be amended accordingly.
9.
 - (a) That a "No Stopping" driveway clearance be implemented on the north side of Queen Victoria Drive commencing 40 feet east of the extended east curb line of Rainham Street and extending to a point 74 feet westerly therefrom; and,
 - (b) That a "No Stopping" driveway clearance be implemented on the north side of Queen Victoria Drive commencing 266 feet west of the extended west curb line of Rainham Street and extending to a point 84 feet westerly therefrom; and,
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
10. That the duration of the existing half-hour parking meters on the east side of Mary Street between King William Street and Rebecca Street be increased to one hour and that the City Traffic By-law 89-72 be amended accordingly.
11.
 - (a) That a "Permit Parking" regulation be implemented on the south side of Craigmiller Avenue commencing at a point 113 feet west of Ottawa Street North and extending to a point 26 feet westerly therefrom and that the City Traffic By-law 89-72 be amended accordingly; and,
 - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Howard Myres, No. 54 Craigmiller Avenue.

12. That the existing "Permit Parking" regulation on the east side of Fullerton Avenue which commences at a point 151 feet south of Princess Street and extends to a point 19 feet southerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.

13. That in accordance with the request by the Hamilton Street Railway Company, the following bus stop be relocated:

Route No. 4 Bayfront
31 Fennell and 53 Burlington

Delete - Eastbound - Beach Road, south side, 99 feet east of Albemarle Street (F/S); and,

Add - Eastbound - Beach Road, south side, 23 feet west of Albemarle Street (N/S).

14. (a) That the City of Hamilton enter into a Tenancy Agreement with R & G Moore to rent the premises known as 662 Rymal Road East, subject to the terms and conditions of the Tenancy Agreement being satisfactory to the City Solicitor; and,
(b) That a one-time rental charge of \$500. be charged for the period 1995 June 1 to 1995 June 30, for cleaning and decorating which has been agreed to be carried out by the tenant; and,
(c) That commencing 1995 July 1, the monthly rent will be \$750. (realty taxes for the entire property are \$3,300.81 for 1995) and rental proceeds to be credited to Account No. CH44104 31106 (City Properties - Rental); and,
(d) That the Mayor and the City Clerk be authorized and directed to execute the Tenancy Agreement in a form satisfactory to the City Solicitor.
15. (a) That the submitted schedule of works, attached hereto as Appendix "A", be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated cost of services in:

"CLAUDETTE GARDENS - PHASE 7", Hamilton

City's Share - Nil Subdivider's Share - \$40,227.63; and,

- (b) That the Mayor and the City Clerk be authorized and directed to execute the proposed subdivision agreement between the City and the Owner of "Claudette Gardens - Phase 7" subdivision; and,
(c) That approval of the above clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement has been registered; and,

- (d) That in the event the subdivider wishes to proceed prior to the registration of the Final Plans and Subdivision Agreements, they should be allowed to do so at their own risk provided they enter into a standard agreement for pre-servicing.
16. (a) That the Encroachment Agreement for 31 Fairmount Street, registered as Instrument No. 398123 C.D., be discharged; and,
- (b) That the Mayor and the City Clerk be authorized and directed to execute the discharge documents for the Encroachment Agreement, registered as Instrument No. 398123 C.D., in a form satisfactory to the City Solicitor.
17. (a) That the following City lands be incorporated into the streets in order to complete the final street widths or to provide access to newly registered subdivision developments:
- | | | | |
|-------|--------------------|------------------------------|---|
| (i) | Arrowhead Drive | Block 5
Part 2 | Plan 62M-678
Plan 62R-11311 |
| (ii) | Artistic Boulevard | Part 7 | Plan 62R-13077 |
| (iii) | Embassy Drive | Part 9 | Plan 62R-13077 |
| (iv) | Cyprus Drive | Part 1
Block 39
Part 2 | Plan 62R-12988
Plan 62M-632
Plan 62R-10173
(except 20 metres
northerly) |
| (v) | Acadia Drive | Parts 20 and 21 | Plan 62R-10529; and, |
- (b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be approved; and,
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
18. That the applications to retain inadvertent encroachments at the locations as outlined in Appendix "B", attached hereto, be approved provided:
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and the City Clerk be authorized to execute the City's standard form of agreement; and,

- (c) That the first year fees and subsequent annual fees outlined in Appendix "B" be set for the encroachments.
19. That the application of the Hamilton YMCA Harriers to close Bay Street North from Barton Street to Burlington Street from 11:30 a.m. to 12:30 p.m. on Sunday 1995 April 2, to hold the Around The Bay Road Race, be approved, subject to the following conditions:
- (a) That prior approval from the Chief of Police or his/her designate be received; and,
 - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,
 - (d) That all barricading be supplied by and at the expense of the applicant; and,
 - (e) That "Temporary Road Closure" signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant; and,
 - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer; and,
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
20. That the proposed narrowing of Hunter Street between James and John Streets from the existing width of 19.05m to a width varying from 7.5m to 14.5m be advertised by the City Clerk in accordance with Section 300 of the Municipal Act and the necessary alteration By-law be prepared by the Director of Public Works.
21. That the City Solicitor be authorized and directed to amend By-Law 87-144, appointing Municipal Weed Inspectors under The Weed Control Act, to permit the appointment of the following 23 inspectors:

R. Aldridge
P. Booker
R. Boutcher
J. Bovaird
D. Boyer
R. Campanella
D. Cowan
R. Del Conte

R. Farthing
C. Gibbs
R. Guenther
L. Major
A. Mancini
A. Marshall
J. McShane
T. Perry

D. Pomfret
J. Pook
R. Pyne
S. Taylor
P. Tompkins
J. Turner
R. Yanke

22. (a) That the West Central Branch of the Ministry of the Environment and Energy (M.O.E.E.) be advised that the City of Hamilton has no objection to Hotz Environmental Services Inc. receiving an amendment to their Certificate of Approval No. A100146, for their facility located at 239 Lottridge Street, Hamilton, provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that applicable City by-laws are complied with fully; and,
- (b) That a copy of this report be forwarded to the West Central Branch of the Ministry of the Environment and Energy (M.O.E.E.) for their consideration in the preparation of the amendments to the Certificate of Approval regulating the operation of Hotz Environmental Services Inc.

Recorded vote.

YEAS: Acting Mayor Jackson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

23. (a) That the West Central Branch of the Ministry of the Environment and Energy (M.O.E.E.) be advised that the City of Hamilton supports, in principle, Royal Recycling receiving a Provisional Certificate of Approval to operate a Waste Disposal Site (Processing) for the site located at 15 Biggar Avenue, Hamilton, subject to the following conditions:
- (i) That an Environmental Noise Impact Study be conducted by the Applicant and be submitted to the Ministry of the Environment and Energy and the City of Hamilton. The Noise Study must include noise levels of all new noise sources on site and the impact that the noise level may have on the neighbouring properties; and,

- (ii) That a visual barrier must be provided where the property abuts a residential use; and,
 - (iii) That the site meet the requirements of the Ontario Fire Code as outlined in the Hamilton Fire Department report dated 1995 February 14; and,
 - (iv) That all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry of the Environment and Energy and that all applicable City by-laws are complied with fully; and,
- (b) That a copy of this report and its attachments be submitted to the West Central Branch of the Ministry of the Environment and Energy for their consideration in the preparation of the Certificate of Approval regulating the proposal by Royal Recycling; and,
- (c) That the Ministry of the Environment and Energy be requested to forward a copy of Royal Recycling's final Certificate of Approval for a Waste Disposal Site (Processing) to the City of Hamilton upon its completion; and,
- (d) That the Fire Chief be directed to report back to the Transport and Environment Committee on the issue of the applicant addressing the requirements of the Ontario Fire Code.

Recorded vote.

YEAS: Acting Mayor Jackson, Aldermen Caplan, Agro, McCulloch, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Kiss, Drury, Morelli, Copps, -4.

CARRIED.

24. (a) That the following changes be made in the maximum charges per metre of frontage for Local Improvement construction:

<u>Item</u>	<u>Maximum Charge per Metre of Frontage</u>	
	<u>Existing 1994</u>	<u>Proposed 1995</u>
(i) Curb Only	\$ 54.59	\$ 72.
(ii) Sidewalks Only	91.67	115.
(iii) Sidewalks and Independent Curbs or Combined Sidewalks and Curbs	124.63	158.
(iv) Roadway Only	228.66	257.

(v)	Alleys	97.85	107.
(vi)	Roadway and Curbs only (Industrial Subdivisions)	298.70	328.

(b) That the City Solicitor be authorized and directed to amend the Local Improvement By-law.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Acting Mayor Jackson. -1.

CARRIED.

25. That purchase orders be issued for the supply of Asphaltic Concrete and Bituminous Materials as and when required during 1995 by the Public Works Department in accordance with specifications issued by Purchasing and Vendors' tenders, and financed through Stock Materials Account No. CH56197 60999, as follows:

Asphalt Surface Course (H.M.3)

Taro Aggregates Ltd., Stoney Creek	picked up	\$42.00
Cayuga Materials & Construction Co. Ltd., Cayuga	picked up	43.00
Lafarge Construction Materials, Hamilton	picked up	45.50

Asphalt Binder Course (H.M.5)

Cayuga Materials & Construction Co. Ltd., Cayuga	picked up	\$40.00
Taro Aggregates Ltd., Stoney Creek	picked up	44.00
Lafarge Construction Materials, Hamilton	picked up	45.00

HLS030 Hot Lay, HL-3(HS) Asphalt

Cayuga Materials & Construction Co. Ltd., Cayuga	picked up	\$42.00
Lafarge Construction Materials, Hamilton	picked up	47.00
Taro Aggregates Ltd., Stoney Creek	picked up	48.00

Cationic Asphalt Emulsions CRS-2

Norjohn Ltd., Thorold		0.2426
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Additional Cost to Supply a Tank for Duration of Contract

Norjohn Ltd., Thorold		No charge
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Cationic Asphalt Emulsions CRS-2

Norjohn Ltd., Thorold	CRS-2	delivered	0.2426
Norjohn Ltd., Thorold	CRS-2 Latex Modified	delivered	0.3102

Cold Laid Stockpiled Patching Material Mixture

TCG Materials Ltd., Brantford	picked up	\$47.00
Taro Aggregates Ltd., Stoney Creek	picked up	65.00
Lafarge Construction Materials, Hamilton	picked up	65.00

Cold Laid Stockpiled Patching Material Mixture

Capital Paving Inc., Guelph	delivered	\$49.70
TCG Materials Ltd., Brantford	delivered	50.00

Premium (Permanent) Asphaltic Concrete Patching Mixture QPR2000

Lafarge Construction Materials, Hamilton	QPR2000	picked up	\$99.00
	RDM6000		\$95.00

Premium (Permanent) Asphaltic Concrete Patching Mixture QPR2000

TCG Materials Ltd., Brantford	QPR2000	delivered	\$ 80.00
	RDM6000		\$ 89.00
Lafarge Construction Materials, Hamilton	QPR2000	delivered	\$103.00
	RDM6000		\$ 99.00

Crack Sealing Material

McAsphalt Industries Ltd., Scarborough	delivered	.2375/lb.
Permaquik Corporation, Mississauga	delivered	.2475/lb.

26. That purchase orders be issued for the supply and delivery of Mixed Portland Cement Concrete as and when required during 1995 by the Public Works Department in accordance with specifications issued by Purchasing and Vendors' tenders and be financed through Stock Materials Account No. CH56197 60999, as follows:

<u>Dufferin Concrete Products, Hamilton</u>	<u>Delivered</u>	<u>Picked up</u>
Sidewalk, Curb and Roadway Concrete	\$99.50	\$95.50
Unshrinkable Fill	51.	48.

Independent Ready Mix Concrete, Hannon

Sidewalk, Curb & Roadway Concrete	N/A	\$100.90
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GST and PST extra where applicable. Prices per m³.

27. (a) That the City of Hamilton enter into an agreement with Crescent Oil Company of Canada Limited for a maximum City contribution of \$11,000. being 50% of the initial costs of beautifying adjacent roadside areas; and,
- (b) That the City Solicitor be authorized to prepare the necessary legal document and that the Mayor and the City Clerk be authorized to execute the document on behalf of the City; and,

- (c) That the concept plan for the Industrial Roadside Beautification and as outlined in Appendix "C" attached hereto, be approved for implementation; and,
- (d) That the maximum amount of \$11,000. be charged to Account No. CH55399 60437 - Industrial Roadside Beautification Program.

Recorded vote.

YEAS: Acting Mayor Jackson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

- 28. (a) That the positions of Superintendent of Operations, Fleet Safety Supervisor and Garage Attendant II, be declared redundant; and,
 - (b) (i) That the one position of Welder, be declared redundant; and,
 - (ii) The job description of Machinist, be revised to combine the duties of Welder and Machinist and that the position be referred to Human Resources for re-evaluation; and,
 - (c) That the position of Supervisor City Garage in the Fleet Services Division of Public Works, be referred to Human Resources for re-evaluation; and,
 - (d) That the position of Administrative Co-ordinator in the Fleet Services Division of Public Works, be referred to Human Resources for re-evaluation; and,
 - (e) That Registered Mechanical Apprentices in the Fleet Services Division of Public Works be awarded the position of Licensed Mechanic T2A, Local 5, upon completion of their apprenticeship and the passing of their Certificate of Qualification, and upon being awarded the position of licensed mechanic the position left vacant be declared redundant.
- 29. That a "No U Turn" sign be erected at the intersection of Acadia Drive and Butler Drive and that the City Traffic By-law 89-72 be amended accordingly.
 - 30. That leave be granted to introduce the following Bills:
 - (a) A-17 A By-law to Stop-up, Close and Authorize the Sale of Part of North/South Alley East of 1 Young Street, Designated as Part 7 on Plan 62R-12633

- (b) A-18 A By-law to Amend By-law No. 87-144 Respecting Municipal Weed Inspectors
- (c) A-19 A By-law to Incorporate City Land Designated as Block 5, Plan 62M-678 and Part 2, Plan 62R-11311 into Arrowhead Drive
- (d) A-20 A By-law to Incorporate City Land Designated as Part 1, Plan 62R-12998 and Block 39, Plan 62M-632 and Part 2, Plan 62R-10173 (except the most northerly 20 metres of Part 2, Plan 62R-10173) into Cyprus Drive
- (e) A-21 A By-law to Incorporate City Land Designated as Part 7, Plan 62R-13077 into Artistic Boulevard
- (f) A-22 A By-law to Incorporate City Land Designated as Part 9, Plan 62R-13077 into Embassy Drive
- (g) A-23 A By-law to Incorporate City Land Designated as Parts 20 and 21, Plan 62R-10529 into Acadia Drive
- (h) A-24 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (i) A-25 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (j) A-26 A By-law to Amend By-law No. 89-72 to Regulate Traffic

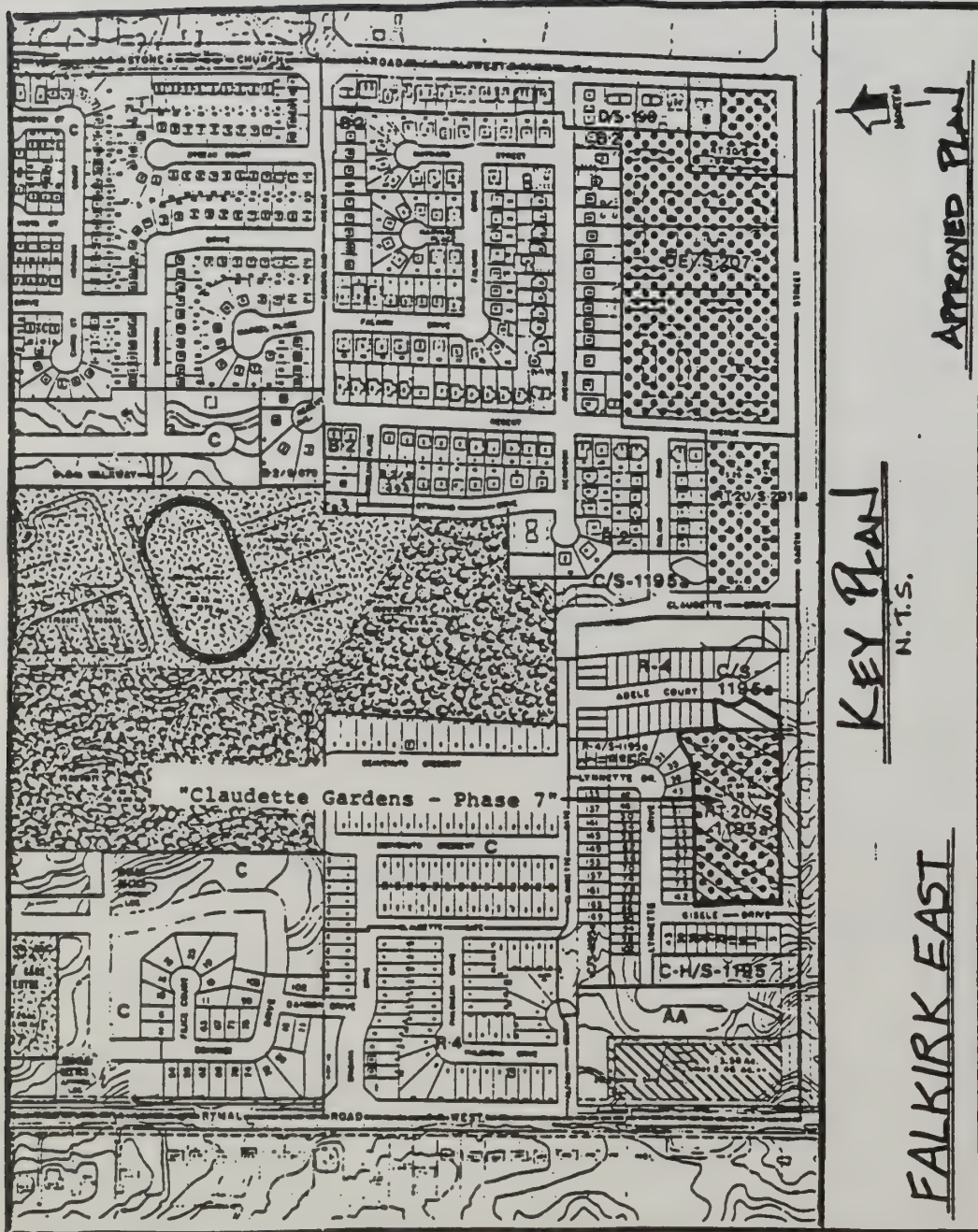
Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson
Secretary**

1995 March 6

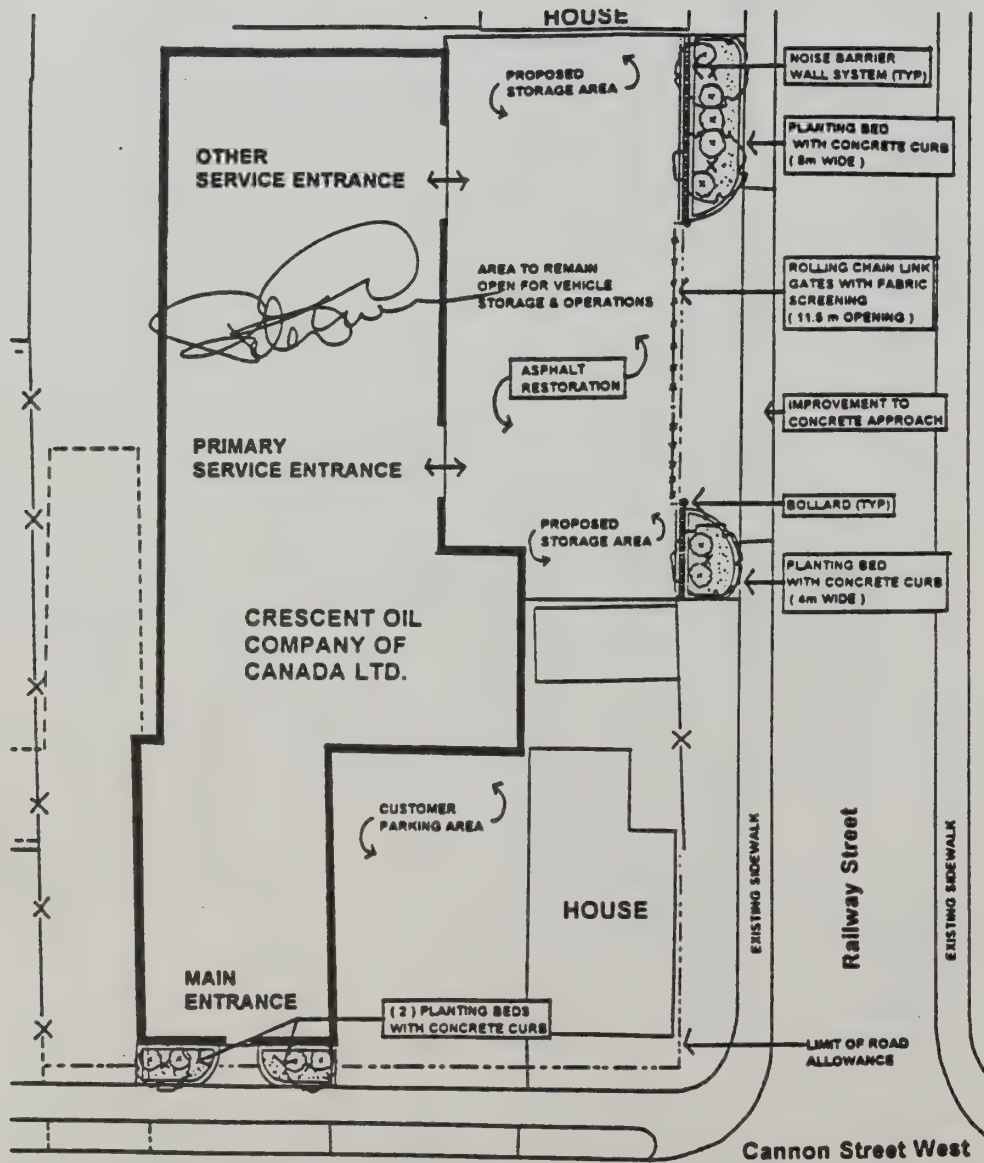
Appendix "A" as referred to in
Section 15 of the FOURTH Report
of the Transport and Environment
Committee for 1995



Appendix "B" as referred to in
Section 18 of the FOURTH Report
of the Transport and Environment
Committee for 1995

<u>Location</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/Annual</u>	<u>File Number</u>
17 Ferrie St. E.	R. and O. Hernandez	Porch 1.414m x .7224m	138/20	T130 50 (1151)
263 Kensington Avenue	N. M. Kitich	Building 9.144m x .00609m Stoop 1.068m x .725m	138/20	T103 50 (1147)
91 Colbourne St.	Pecego	Building 5.334m x .3048m	138/20	T103 50 (1149)
237 Hunter St. W	W. Hearne and C. Tinkess	Porch 1.905m x 1.0912m	138/20	T103 50 (1152)
97 Macaulay St.	Da Costa	Porch .762m x .381m	138/20	T103 50 (1136)
46 Jackson St. E.	D. Dore	Building .04864m x 4.6939m	138/20	T103 50 (1109)

Appendix "C" as referred to in
Section 27 of the FOURTH Report
of the Transport and Environment
Committee for 1995



	Project	CRESCENT OIL COMPANY OF CANADA LTD.	Date	FEB. 15, 1995.
	Title	INDUSTRIAL ROADSIDE BEAUTIFICATION PROGRAM — APPROVED CONCEPT	Scale	1: 200 metric
			Dwg. No.	

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTH** Report for 1995 and respectfully recommends:

1. That approval be given to City Initiative 95-A, for a further modification to the established "D" (Urban Protected Residential - One and Two Family Dwellings) District regulations, for properties located on the west side of Locke Street South, between King Street West and Main Street West (municipal numbers 18 to 64 Locke Street South) as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the "D" (Urban Protected Residential - One and Two Family Dwellings) District as contained in Section 10 of Zoning By-law No. 6593, as amended by By-law No. 91-124, applicable to the subject lands, be further modified as follows:
 - (i) That Section 1.(c) of By-law No. 91-124 be deleted in its entirety.
 - (b) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1219a, and that the subject lands on Zoning District Map W-12 be notated S-1219a; and,
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by Zoning By-law No. 91-124, and Zoning District Map W-12 for presentation to City Council; and,
 - (d) That the approved Strathcona Neighbourhood Plan be amended to delete the special policy that vehicular access from Locke Street South will be prohibited for new development along the west side of Locke Street; and,
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
2. That the request by John Flynn of Sonke Holdings for payment by installment of the Cash-in-Lieu sum of \$22,500. be approved subject to the following conditions:
 - (a) payment duration shall be for 10 years with 10 annual installments; and,
 - (b) interest shall be paid on the outstanding balance, on an annual basis, at a rate of 1% above prime; and,

3. (a) That City Council accept the offer from the Province to provide a \$1-million funding for Barton Street Initiatives; and,
- (b) That the City Treasurer return to the Province the OHRP funds of approximately ~~\$4.5-million~~ on or about 1995 March 31 as requested by the Ontario Ministry of Housing under amended Regulation 641 of the Housing Development Act; and,
AMENDED.
- (c) That the Building Department be directed to implement a revised Barton Street Redevelopment Program as outlined on Appendix "B" hereto.
4. (a) That a Barton Street Revitalization Committee be established composed of the Ward Aldermen, a BIA representative, a resident of the area, a member of the Task Force (Barton Street), and representatives from various departments responsible for delivery; and,
- (b) That the Building Department be authorized and directed to disband the Barton Street Implementation Committee; and,
- (c) That the Building, Law, and Treasury Departments be authorized and directed to discontinue work on the Barton Street Community Development Corporation.
5. That City Council approve the request from Urbacore Management Ltd. for reduction of the letter of credit for the site plan agreement at 1365 Limeridge Road East from \$111,000 to \$64,000 based on partial completion of the site works.

Recorded vote.

YEAS: Acting Mayor Jackson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Charters. -1.

CARRIED.

6. (a) That the request by Frank Doracin, on behalf of Paletta International Corporation, owners, to extend draft plan approval for the "Rymal Business Centre No. 1" subdivision under Regional File 25T-82008R for a further three (3) years to 1998 March 30, be received, and that an interim extension of four (4) months, to 1995 July 30, be approved to allow the Regional Roads Department time to review the current conditions of draft approval, and to prepare the terms of required storm-water management studies; and,
- (b) That the City Clerk be directed to advise the Regional Commissioner of Planning and Development of Council's decision.

7.
 - (a) That the request of Mr. Mario Bartolini, Q.C., Solicitor for Carriage Gate Homes Ltd. owner, to establish maintenance easements by removing Part-Lot Control from Lots 4 to 15 inclusive, and Lots 17 to 22, inclusive, "Acadia Estates" plan of subdivision, Registered Plan 62M-776, be approved; and,
 - (b) That a By-law to Remove Part-Lot Control from Lots 4 to 15 inclusive, and Lots 17 to 22, inclusive, "Acadia Estates" plan of subdivision, be enacted by Council; and,
 - (c) That following enactment of this By-law, that the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs) be requested to grant approval to the By-law and endorse the same on the By-law; and,
 - (d) That following completion of the conveyances being permitted by the said By-law to Remove Part-Lot Control, a by-law be enacted to repeal the said By-law.
8. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, seven hundred and fifty dollars (\$1,750.) be approved for Christena MacNeil, 359 Strathearne Avenue, Hamilton. The interest rate will be 8 per cent amortized over 5 years.
9. That the Building Commissioner be authorized to issue a demolition permit for the following properties in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended:
 - (a) 21 Biggar Avenue
 - (b) 287 Brucedale Avenue East
 - (c) 1425 Upper James Street
 - (d) 1429 Upper James Street.
10.
 - (a) That Section 15 of the First Report for 1994 of the Planning and Development Committee respecting the denial of Zoning Application 93-37 to permit additional restaurant uses within the existing shopping plaza, on lands located at 986-998 Upper Wentworth Street be rescinded; and,
 - (b) That Zoning Application 93-37 be approved; and,
 - (c) That the City Solicitor and Director of Local Planning be authorized to take the necessary action to withdraw the City's objections to the aforementioned rezoning.

REFERRED BACK.

11. That leave be granted to introduce the following Bills:

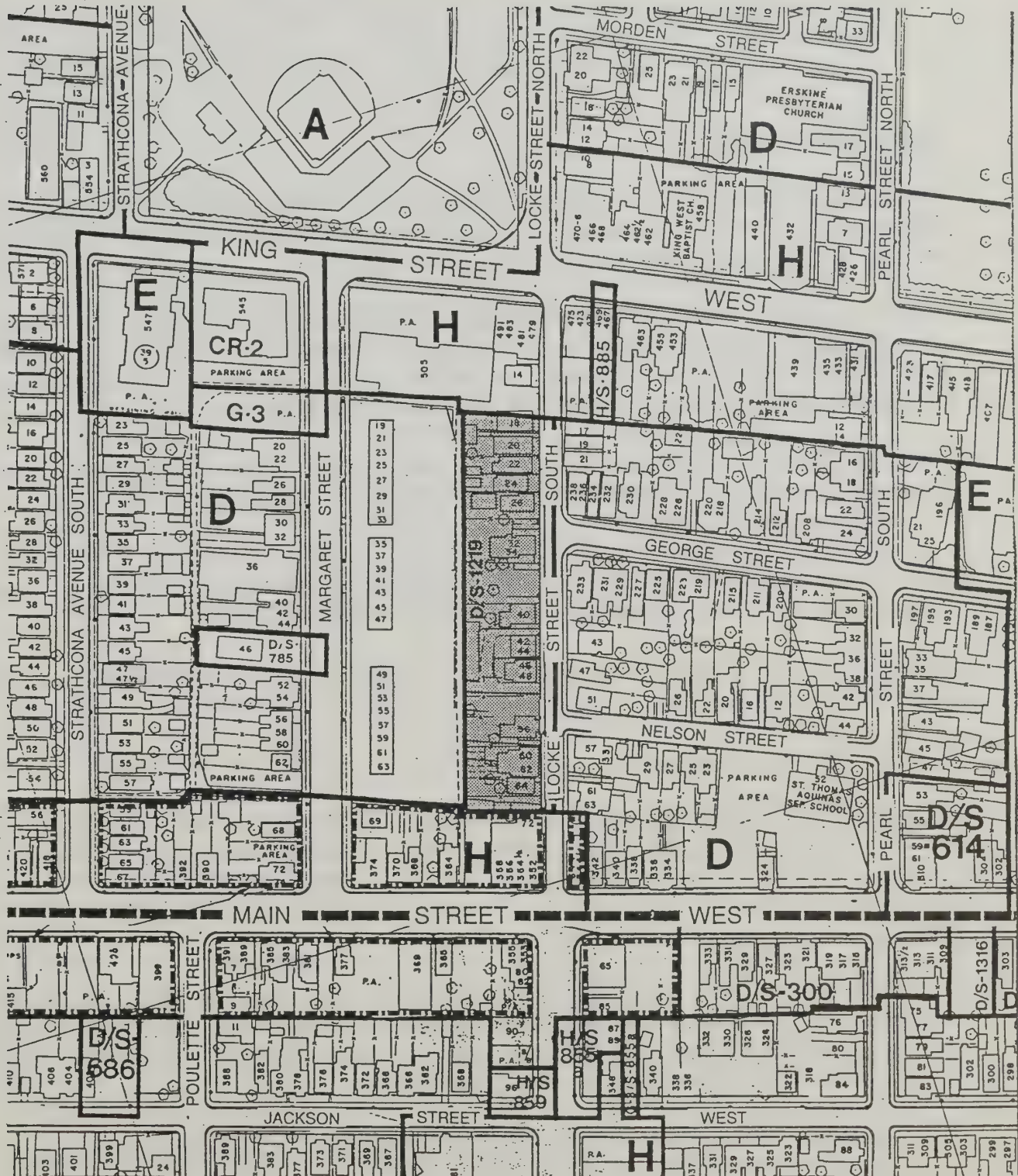
- (a) C-20 A By-law to Remove Lands within the Acadia Estates Sub-Division, Plan 62M-776 from Part-Lot Control.
- (b) C-21 A By-law to Amend Zoning By-law No. 6593 Respecting Part of Land Located at Municipal No. 160 Main Street East.
- (c) C-22 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located North of Limeridge Road East and West of Upper Kenilworth Avenue (proposed extension of Lockheed Drive).

RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Stella Glover
Secretary**

1995 March 8



Legend



Site of the Application



Commercial Program

The Building Department in conjunction with the Barton Street Business Improvement Area (BIA) will provide money to building owners and tenants for rehabilitation and improvements to commercial properties located in the Barton Street BIA.

A low interest loan covering 100% of the eligible interior and exterior improvement costs to a maximum of \$20,000. per address will be available. Of this amount, 50% will be available as a grant when all work is completed and will be granted back at 30% upon construction completion, 30% after one year, and the remaining 40% after two years.

Where an owner owns more than one building within the Barton Street BIA, the total maximum an owner can obtain is \$30,000. Owners of businesses who do not own any real property may borrow a maximum of \$5,000. for interior and exterior work.

The interest rate on the loan will be one half of prime on the date the loan agreement is signed. The loan will be amortized over ten years and will be secured by a lien.

This will be reviewed after three years to explore the possibility of extending the program further along Barton Street.

Exterior Facade Improvement

A loan up to \$5,000. per address will be provided for building owners and lessees for painting, exterior cleaning, caulking, etc. to improve the exterior appearance of properties on Barton Street. Applicants will be eligible for a 50% grant of the loan amount upon completion of the work.

Mural Project

The City of Hamilton will provide \$20,000. to the Barton Street BIA on a yearly basis for mural projects on Barton Street. Guidelines will be established by the City's Arts Co-ordinator and final approval will rest with the BIA, the Arts Advisory Sub-Committee and the Task Force of the Barton Street Revitalization/Cultural Industry Strategy.

It is anticipated that the mural projects will utilize local artists mentoring students.

Street Enhancement

Funds will be utilized for minor street improvements. In conjunction with the BIA and the various Arts groups, funding will be available for banners, benches, flower beds, and other improvements. It will also be used for assisting the Barton Street BIA in organizing, promoting, and implementing street festivals. Determination of funding disposition will be by the BIA, community partners, and various art groups to provide a cultural diversity.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **EIGHTH** Report for 1995 and respectfully recommends:

1. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 18981/90 by the payment to the Plaintiffs, Mark and Dana Fairclough, of the sum of \$2,950. inclusive of all claims for damages, interest and costs; and,
- (b) That the Plaintiffs be required to execute a Full and Final Release to the City of Hamilton in a form satisfactory to the City Solicitor; and,
- (c) That the action and all crossclaims in the action be dismissed without costs.
2. That the City of Hamilton Taxicab Priority List of 228 names of individuals who renewed their names on the Taxicab Priority List, in accordance with By-law 93-069, attached herewith and marked Appendix "A", be approved.
3. That approval be given to the action taken by the City Clerk in authorizing the Project Development Branch of the Ontario Realty Corporation to use the second floor foyer (west end) from Friday, 1995 February 17 until Friday, 1995 March 3 to display a model of the New Hamilton Court House.
4. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/Committed To Date	Balance Available	Source(s) of Financing
(a) 319441007	Rosedale Arena-Roof Replacement	\$180,000.00	\$137,861.12	\$42,138.88	CL
(b) 319441008	Scott Park Arena - Roof Replacement	150,000.00	147,290.64	2,709.36	CL
(c) 319441012	Farmers' Market-Roof Replacement	134,000.00	104,432.86	29,567.14	CL
(d) 489441034	Central Fire Station-Major Repairs	86,120.00	86,110.22	9.78	RCP
(e) 709241002	Chedoke Pool-New Change/Washroom Facilities	175,000.00	173,816.55	1,183.45	RCP
TOTAL				\$75,608.61	

5. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

227 Mary	1291 Cannon East
188 Cavell	22 Belmont
188 Graham South	58 Garside South
316 Woodward	32 Britannia
101 Robins	712 Upper Gage
1024 King East	
224 Mary	

- (b) That the Mayor and City Clerk be authorized to execute the by-law and extension agreements.

6. That the following properties be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049:

- (a) 775 Upper Wentworth Street
- (b) 91 Nash Road North
- (c) 817* Stone Church Road East
- (d) 940 Queensdale Avenue East
- (e) 284 Sherman Avenue South
- (f) 253 Kenilworth Avenue North
- (g) 195 Parkdale Avenue North
- (h) 1477 Upper James Street
- (i) 96* Stone Church Road East
- (j) 1319 Main Street East
- (k) 26 Ewen Road
- (l) 45* Owen Place
- (m) 177 Sherman Avenue North
- (n) 314 Grosvenor Avenue North

7. That leave be granted to introduce the following Bills:

- (a) D-18 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (b) D-19 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder, Secretary

**CITY OF HAMILTON
TAXICAB PRIORITY LIST**

NOTE: Plate issuances are NOT automatic for any reason.
All applications are considered within the terms
and conditions contained in relevant by-laws as
enacted by Hamilton City Council.

All addresses without the name of a City/Town are located
within the City of Hamilton.

**EFFECTIVE: JULY 25, 1989 - City Council
REVISED: Dec. 31, 1994**

**APPLICATION DATE
YR/MO/DAY NAME**

73.5.11	Lou Parco
75.8.18	Simon Hishmeh
75.9.15	Hassan Agha
78.1.25	Barbara Jean O'Neill
78.2.1	Marilyn Majoros
78.2.13	Paul Hathaway
78.2.15	Theresa Donald
78.2.15	Roman Jankevicius
78.2.16	Cecil Snow
78.2.23	Robert Offen
78.3.7	George Kepenyess

78.4.3	Hans Wienhold
78.4.17	Khalil Zourob
78.7.24	Ishar Singh Thiara
78.12.5	William T. Winship
79.3.30	Joseph Kubina
79.4.3	Peter C. Eldridge
79.5.9	Muriel Truelove
79.5.9	John Driscoll
79.5.9	Ken Muschik
79.5.9	Gordon Simigian
79.5.9	Gary A. Vere
79.5.9	Richard M. Stolman
79.5.10	Gerald J. McRoberts
79.5.10	Garry C. Gardiner
79.5.10	Petros Iliou
79.5.10	Steve Iliou
79.5.10	Norman L. Domenico
79.5.11	Norman G. Chatten
79.5.11	June Luke
79.5.14	Judith Offen
79.5.15	Daniel Gagnon
79.5.17	Edward J. Halloran
79.5.18	Walid Chafic

79.5.18	Leopauld G. Beauchamp
79.5.22	Yair Ziser
79.5.23	Hannibal Rizzuto
79.5.28	Malcolm R. Moore
79.5.28	Colin O'Rourke
79.5.28	William D. Cranston
79.6.1	Thomas G. Brown
79.6.4	Lynne B. Clay
79.6.6	Leonard Willetts
79.6.26	Gerald J. Tremblay
79.6.28	Earl J. Shaidle
79.7.5	Stan Krok
79.7.12	Wainwright Cruickshank
79.7.13	Gordon Cumming
79.8.15	Adnan Shedhadeh
79.9.11	Sharon Bellamy
79.10.01	Daniel L. Bernier
79.10.5	Lorraine Mooney
79.10.30	William J. Perkins
79.11.9	Larry Roberge
79.11.14	Roger Francoeur
79.11.19	Michael McLoughlin

79.12.6	Peter Obratoski
79.12.17	Zuhair Shihadeh
79.12.18	Dan Bissett
80.1.14	Antal Takacs
80.2.11	J. Michael Grant
80.2.12	Marc Stuart Hathaway
80.2.14	Yoginder K. Sharma
80.2.27	Adelia Balice
80.2.28	Cosimo Balice
80.3.26	Paul Voloundakis
80.7.14	Anthony Paul DiCiccio
80.7.29	Inam-Ur-Rehman
80.10.6	Joginder S. Sanghera
80.10.6	Gurdip S. Soor
80.12.5	Mohammad Ahmed
80.12.18	William T. Stokoe
80.12.22	Kaloust Kaloustian
80.12.23	Robert Koczerzat
80.12.24	Solomon Marcellin
81.1.7	Randall G. Cruden
81.1.20	Michele A. Gilmour
81.4.8	Nathan Anderson

81.4.22	John Weiss
81.4.30	Shirley Hathaway
81.8.6	Daniel Veltri
81.10.26	Stephen Jones
81.10.30	Ronald Mladenich
81.11.24	Wayne Stewart McGregor
81.12.14	Elaine Suggett
81.12.16	George Truelove
81.12.18	Larry E. Fitzpatrick Sr.
82.1.13	Donald Horrocks
82.1.18	Richard Urban
82.1.28	John Francis Mooney
82.1.28	Anthony Rizzuto
82.2.1	Philip Dales
82.2.8	Drago Basic
82.2.10	Alecia Davis
82.2.26	John C. MacDonald
82.3.18	Theodors Toma
82.4.5	Putrus Isak
82.4.14	Jogindar Singh Dhaliwal
82.6.8	Keith Johnson
82.6.10	Donna Bourke

82.6.24	William Khammo
82.6.24	Andrea Rochelle Rosart
82.7.6	Pat Rostron
82.7.6	Randy Rostron
82.7.21	Thomas F. Sebisty
82.7.21	Pierre Richard
82.8.9	Frederick R. Neale
82.10.8	Richard Sindall
82.10.18	Harbans Singh Kalsi
82.11.1	Mark Granby
82.11.8	Uffe Mortensen
82.11.8	William G. Romans
82.12.1	Sam Veltri
82.12.17	Elizabeth Jane Milligan
82.12.17	Tessie Mary Manson
82.12.23	Ahmad Malik
83.2.21	Ronald Geer
83.4.27	Basil W. Scime
83.5.18	Devinder Bains
83.6.9	Sandra Fukumoto
83.7.4	Dane Hathaway
83.8.15	Madan Lal Arora

83.9.19	Brenda Roberge
83.10.25	Mohinder Singh Lamba
84.1.26	Lee Michael Vidovich
84.1.31	Richard VanKleef
84.7.12	Rudolph A. Cizek
84.8.2	Jefferson Lee Johnson
84.10.1.	Alan R. Kent Sr.
84.10.1	Alan R. Kent
84.10.1	Janice Parry Kent
84.10.3	Collette Roberge
84.10.10	Anthony P. Tartaglia
84.10.10	Al Reichert
84.10.22	Anne Scime
84.10.30	Paul Marshall
84.10.31	Darryl Scott Friend
84.11.20	Bruce Griffith
84.12.14	Kidane Gebre Zerezghi-Tewolde
84.12.19	Michael Roth
84.12.19	Ben Kalika
84.12.28	Ronald W. Moroz
85.1.24	Sukhdev Singh Bhatti
85.2.26	Mohammad Naeem Khan

85.4.4	Naomi E. Brink
85.5.29	Delmer(Wayne)Robinson
86.1.16	Leonard Roberge
86.1.31	Jack H. Yachouh
86.1.31	Karlís Valodze
86.2.6	Rudolf J. Weber
86.5.8	Ian E. Morrice
86.7.2	Michael Geer
86.7.3	Denise Georgian
86.8.5	Shabir Ahmed
86.9.5	Habte-ab Tecle-Mariam
86.10.2	Ibrahim Saddik
86.10.23	Peter H. Robertson
86.12.10	John Fischer
86.12.15	Jeff Sindall
86.12.29	Anthony R. Rizzuto
86.12.29	Felita Anderer
86.12.29	J. Wayne Vanderham
86.12.29	Lance Vanderham
86.12.29	Shahid Butt
86.12.30	Shakil Siddiqui
87.1.2	Rob Hathaway

87.1.5	Basharat Butt
87.1.8	William Majoros
87.1.9	Eric Shepherd
87.1.20	Ken A. Watson
87.1.26	Wayne Lepine
87.2.10	Dirk J. Van Boort
87.2.19	Gordon A. Greb
87.2.23	Edward Seeley
87.2.26	Radmila R. Iliou
87.3.6	Peter Kalika
87.4.21	John R. Kurpeikis
87.5.1	Joseph Vanderheyden
87.5.16	Nabo Terika
87.5.29	Kenneth C. Reichert
87.8.31	Alisa A. Cleary
87.10.8	Bonnie L. Roubos
87.11.25	William P. McKenna
87.12.21	Joseph Varga
88.1.4	Berhane Asghedom
88.1.5	Frederick J. Muldoon
88.1.6	Mario Posteraro
88.1.13	Jagir Multani

88.1.14	Gurdeep Braich
88.1.18	Paul J. Shaver
88.1.29	Mohammad Farooq
88.2.10	Michael J. Magee
88.2.12	James Whittaker
88.2.22	Raphael Kolenko
88.2.22	Al Arthurs
88.2.26	Martha Ferguson
88.2.26	Sam Sleiman
88.3.31	Brian Cosgrove
88.4.19	Rodger McEachern
88.4.25	Audrey Johnson
88.5.4	Pantelis Ilios
88.5.11	Farrukh Qureshi
88.6.24	Ijaz H. Syed
88.8.7	Ronald Airth
88.9.6	Claudio Balice
88.9.19	Ghulam N. Butt
88.10.20	Michael G. Ford
88.11.4	Robert Maschewski
88.11.10	George Hutchinson
88.11.16	Sandra Hathaway

89.1.10	Ronald VanKleef
89.1.11	Brent J. Dawson
89.1.13	Ray Maurice
89.1.24	Jerry Zaraski
89.2.13	Larry P. E. Broadbent
89.4.5	Daniel Sullivan
89.4.24	Mary Button
89.7.13	Josephine Rizzuto
89.7.26	Peter Rihbany
89.8.3	Dimitrios Alkabakopoulos
89.8.8	Elizabeth Elkan
90.06.15	William Perks
90.08.31	Gail Rizzuto
91.02.20	Ronald Roberge
91.03.26	Edward C. Beattie
91.04.17	Tokunbo(Dave)Ogunlade
92.01/03	Jagtar Singh Chahal
92.09.04	Angela Rizzuto

REPORT OF THE HAMILTON-SCOURGE STEERING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Hamilton-Scourge Steering Committee presents its **FIRST** Report for 1995 and respectfully recommends:

1. That any expressions of interest to explore the site of the Hamilton and Scourge be kept on file until conditions of the two ships and safety concerns are determined and addressed.

Respectfully Submitted,

**ALDERMAN W. McCULLOCH, CHAIRPERSON
HAMILTON-SCOURGE STEERING COMMITTEE**

**Kevin C. Christenson
Secretary**

1995 March 2

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **THIRD** Report for 1995 and respectfully recommends:

1. That Mr. Owen Boris be appointed as the City's Citizen Representative on the Constituent Assembly on the Municipal Government System in Hamilton-Wentworth.

RESPECTFULLY SUBMITTED.

**ACTING MAYOR JACKSON,
CHAIRMAN, NOMINATING COMMITTEE**

J.J. Schatz, Secretary
1995 March 14

URBAN/MUNICIPAL
CAY ON HBL AOS
M 21
1995

1995 March 23

Minutes of the Special
City Council Meeting
Thursday, 1995 March 23
10:00 o'clock a.m.
Room 233, City Hall

URBAN MUNICIPAL

APR 4 1995

GOVERNMENT DOCUMENTS

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino,
Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Absent: Alderman M. Caplan - Family Illness

Mayor R. M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Planning and Development Committee, the Finance and Administration, and the Committee of the Whole be considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - NINTH REPORT

Official Plan Amendment No. 130 - Redesignation of lands

FINANCE AND ADMINISTRATION COMMITTEE - NINTH REPORT

Agreement to extend payment of tax arrears - 39 Mary St.
Development Charges

COMMITTEE OF THE WHOLE - THIRD REPORT

Mayor's Conference
Planning Department - User Fees
Planning Department - Staff
On Street Parking Permits
Architectural Division

Section 4 Re: On Street Parking Permits-Reserved

Recorded vote.

YEAS: Aldermen Kiss, McCulloch, Drury, Morelli, Wilson, Eisenberger. -6.

NAYS: Aldermen Copps, Jackson, Charters, Merling, Anderson, D'Amico. -6. **LOST.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Planning and Development Committee, the Finance and Administration Committee, and the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0. **CARRIED.**

BILLS

It was moved by Alderman Kiss and seconded by Alderman Copps that the Bills be read a first time.

C-23.

D-20, D-21, D-22.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that Council move into Committee of the Whole to consider the Bills with Mayor Morrow in the chair.

C-23.

D-20, D-21, D-22.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Bills, be adopted.

C-23.

D-20, D-21, D-22.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Bills be now read a third time, signed, sealed and enrolled as By-laws.

C-23.

D-20, D-21, D-22.

1995 March 23

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 11:40 o'clock a.m.

* * * * *

Taken as read and approved.

Mayor R.M. Morrow
Chairman, Committee of the Whole

J. J. Schatz, City Clerk
1995 March 23
JJS/dg

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **NINTH** Report for 1995 and respectfully recommends:

1. That approval be given to Official Plan Amendment No. 130 to redesignate lands within the Albion Falls Neighbourhood, bounded by Mud Street, the Hydro-Electric Corridor, the Red Hill Creek Expressway, and Arbour Road, from "Open Space" to "Residential", as shown on the attached Appendix "A".
2. That leave be granted to introduce the following Bill:

C-23 A By-Law to Adopt Official Plan Amendment No. 130 Respecting Lands Bounded by Arbour Road, Mud Street, The Hydro-Electric Corridor, and the Red Hill Creek Expressway within the Albion Falls Neighbourhood.

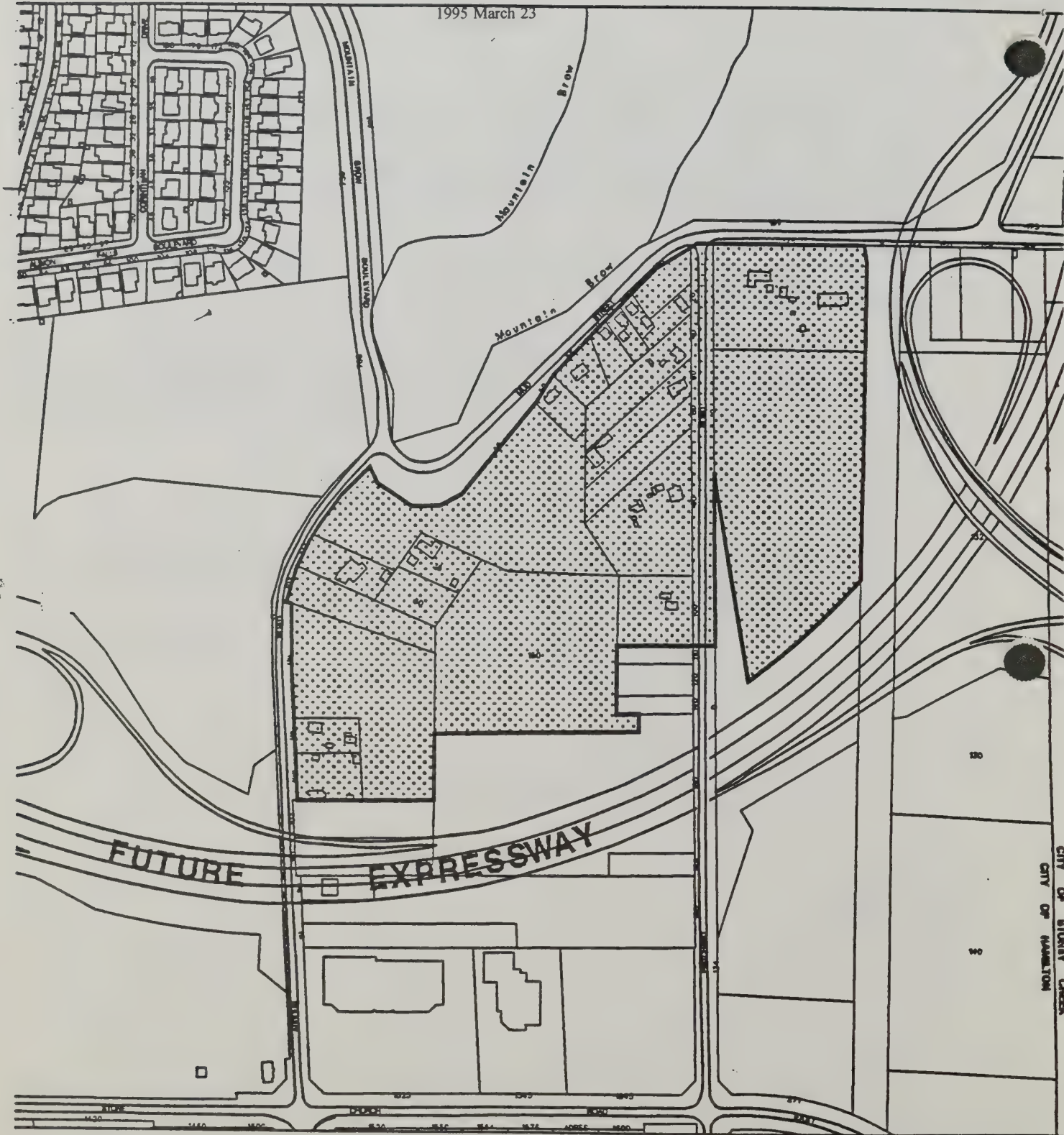
RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Stella Glover
Secretary**

1995 March 22

1995 March 23



Schedule "A"

to the Official Plan for the City of Hamilton



From "Open Space" to "Residential"



60 0 50 100 150 Feet

Prepared for the City of Hamilton by the Planning and Development
Regional Municipality of Hamilton-Wentworth

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **NINTH** Report for 1995 and respectfully recommends:

1. (a) That Section 3 of the Second Report for 1995 of the Finance and Administration Committee and By-law 94-159, subsequently amended by By-Law 95-23, adopted by City Council on 1995 January 10, authorizing an agreement to extend the time open for the payment of tax arrears for property at 39 Mary Street upon specified terms, be amended to include the following:
 - (i) The required monthly realty tax arrears instalment payment, due 1995 March 22 be deferred for that one time period and defrayed over the approved repayment period ending on or before 1995 December 22.
- (b) That staff be authorized and directed to negotiate with the owners of 39 Mary Street, a suitable repayment schedule in order that all Realty and Business Current Year Levies and Tax Arrears are paid in full on or before the approved deadline of 1995 December 22; and,
- (c) That the City Solicitor be authorized to prepare the appropriate By-law to amend By-law 95-23 accordingly.
2. (a) That Development Charges be imposed on land under development or redevelopment within the geographical limits of the City of Hamilton; and,
- (b) That the appropriate By-law be enacted and continue in force and effect for a term not to exceed six months.
3. That leave be granted to introduce the following Bills:
 - (a) D-20 A By-law respecting Development Charges.
 - (b) D-21 A By-law to Authorize an Amending Agreement to an Extension Agreement for Payment of Realty Tax Arrears.

- (c) D-22 A By-law to Confirm the Proceedings of the Council of The Corporation
of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Kevin C. Christenson
Acting Secretary
1995 March 21**

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **THIRD** Report for 1995 and respectfully recommends:

1. That a loan in the amount of \$20,000. be made to the 1995 International Great Lakes/St. Lawrence Mayor's Conference to be hosted by the City of Hamilton from 1995 June 28-30.
2. That item numbers 17 to 29 respecting Planning Department User Fees in Appendix "A" referred to in Section 1 of the First Report of the Committee of the Whole adopted by City Council at its meeting held 1995 March 2, be referred back to the Planning and Development Committee.
3. (a) That the attached schedule of employees on Schedule "A" be offered the opportunity to transfer from the Region to the City of Hamilton payroll effective 1995 April 3 and their seniority date with the Region of Hamilton-Wentworth be recognized by the City of Hamilton, and that they retain their existing position titles and classifications; and,

(b) That the Director of Local Planning report directly to the Chief Administrative Officer on an interim basis.
4. That item number 13 respecting On-Street Parking Permits-Reserved in Appendix "A" referred to in Section 1 of the First Report of the Committee of the Whole adopted by City Council at its meeting held 1995 March 2 be amended by setting the 1995 fee at the 1994 level of \$12. **LOST.**

Recorded vote.

YEAS: Aldermen Kiss, McCulloch, Drury, Morelli, Wilson, Eisenberger. -6.

NAYS: Aldermen Copps, Jackson, Charters, Merling, Anderson, D'Amico. -6.
LOST.

5. (a) That work by the Architectural Division continue on and be charged to only those projects authorized prior to the 1995 Current Budget; and,
- (b) That a report be submitted to the Finance and Administration Committee by 1995 June 30 on the results of a review of all potential, alternate service levels for internal project management, including centralized/decentralized service delivery; and,
- (c) That the present method of Project Management for those building projects already underway be maintained, accepting the deletion from complement of the two current positions.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE**

J. J. Schatz, Secretary
1995 March 23

Appendix "A" referred to
in Section 3 of the THIRD
Report of the Committee
of the Whole for 1995.

Local Planning Employees

ABRAHAM, Victor	Director of Local Planning
ANGELICI, Fab	Supervisor of Technical and Cartographic
BHARGAVA, Kewal	Junior Landscape Architect
BRAITHWAITE, Bill	Cartographic Technician
CHAPPLE, Nina	Heritage Planner I
DEPALO, Fran	Branch Secretary
DUBBELD, Joy	Heritage Clerk
EXTANCE, Keith	Planner I
FLOROFF, Caroline	Development Planner I
GILLESPIE, Ann	Heritage Researcher
GRAVINA, Joe	Planning Technician II
GRUPE, Vanessa	Planner
HICKEY-EVANS, Joanne	Manager, Policy Planning and Analysis
HOSTIUC, Nick	Senior Planning Technician
JANSSEN, Bill	Division Head, Policy and Neighbourhood Planning
KNOWLES, Zel	Senior Cartographic Technician
LAKATOS, Joe	Planner
LEE-MORRISON, Christine	Senior Planning Technician
LEGAULT, Derek	Cartographic Technician
LINSCHOTEN, Rosa	Cartographic Technician
MALLARD, Paul	Division Head, Development and Urban Design
MATUS, Vladimir	Manager, Urban Design
MIGNANO, Martha	Zoning Clerk
ROBICHAUD, Steve	Planner
SAKALA, John	Senior Landscape Architect
STARYK, Noella	Support Clerk
TANNER, Mary Lou	Planner I

Minutes of Hamilton City Council
Tuesday, 1995 March 28
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger,
Jackson, Merling, Ross.

Absent: Alderman M. Caplan - Bereavement
Alderman D. Drury - Regional Business
Alderman B. Charters - City Business
Alderman T. Anderson - Other Business
Alderman F. D'Amico - City Business

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Father Eneric Fuzy, St. Cyril and Methodius Slovak Roman Catholic Church led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented former Alderman Terry Cooke with a civic ring.

* * * * *

Mr. Don Goodridge, Director and Murray Quinn, Superintendent of Lower Schools for the Board of Education for the City of Hamilton advised City Council of the development of a safe school policy for the Board of Education for the City of Hamilton.

Mr. Jerry Ponikvar, Director of Education and Phillip DiFrancesco, Superintendent of Education for the Hamilton Wentworth Roman Catholic Separate School Board advised City Council of the development of a safe school policy for the Hamilton Wentworth Roman Catholic Separate School Board.

* * * * *

Mayor R. M. Morrow presented An Award of Distinction to Gil Simmons and Diane Dent.

* * * * *

A Certificate of Recognition was presented to the following citizens who have served on City Committees/Boards/Commissions

- (a) Angelo DiIanni - HECFI
- (b) Ron Bowman - Hamilton Region Conservation Authority
- (c) Margaret MacGillivray - Public Library Board
- (d) Anna Sbrissa - Public Library Board

PROCLAMATIONS

Mayor R. M. Morrow proclaimed the following:

- (a) "Father Sean O'Sullivan Month" - March 1995
- (b) "Cancer Month" - April, 1995

DECLARATION OF OFFICE

Mr. Ross Fair subscribed to the Declaration of Office before Mayor R. M. Morrow.

ADOPTION OF MINUTES

The minutes of the meeting held 1995 March 14 were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1995 March 14 from 1104729 Ontario Limited, Oakville Ontario for changes in zoning from "AA" (Agricultural) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District for Block "1", "AA" (Agricultural) District to "H" (Community Shopping and Commercial, etc.) District, modified for Block "2", and "G-3 (Public Parking Lots) District, modified, to "H" (Community Shopping and Commercial, etc.) District, modified for Block "3" for lands located at the rear of No. 141 Queenston Road, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Morelli that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Agostino in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Ross. -12.

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - EIGHTH REPORT

Section 1 Re: The Head-of-the-Lake Historical Society - Gore Park Fountain

It was moved by Alderman Jackson and seconded by Alderman Merling that Section 1 (d) of the Eighth Report of the Parks and Recreation Committee for 1995 be amended by deleting the words "subject to the approval of a permanent road closure of Hughson Street at this location" in the last line of the paragraph.

Recorded vote.

YEAS: Aldermen Kiss, Morelli, Agostino, Eisenberger, Jackson, Merling, Ross. -7.

NAYS: Mayor Morrow, Aldermen Agro, McCulloch, Copps, Wilson. -5. **CARRIED.**

Section 3 Re: Alcohol in Parks - Hamilton Regional Cancer Centre - Globe Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Ross. -11.

NAYS: Alderman Jackson. -1.

CARRIED.

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Section 4 Re: Alcohol in Parks - various function - Mohawk Sports Complex, Globe Park, Gage Park, Turner Farm Park, Sackville Stadium, James MacDonald School Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Ross. -11.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 6 Re: Alcohol in Parks - Portuguese Association of St. Michael the Archangel - Dundurn Park Pavilion

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Ross. -11.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 13 (a) Re: Beach Strip Adventure Day Camp Registration fee increase

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger Jackson, Merling, Ross. -11.

NAYS: Alderman Agostino. -1.

CARRIED.

Section 18 Re: Lease Agreement - Ontario Hydro

It was moved by Alderman Jackson and seconded by Alderman Merling that the Eighth Report of the Parks and Recreation Committee for 1995 be amended by deleting Section 18 and subsequently renumbering the remaining Sections of the report accordingly. **CARRIED.**

* * * * *

Section 20 Re: Scott-MacDonald Marine

It was moved by Alderman Agro and seconded by Alderman McCulloch that Section 20 of the Eighth Report of the Parks and Recreation Committee for 1995 be referred back for public input.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Copps, Agostino, Eisenberger.
-7.

NAYS: Aldermen Morelli, Jackson, Merling, Ross. -4.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - TENTH REPORT

Re: Demolition Permit

It was moved by Alderman Merling and seconded by Alderman Jackson that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to permit consideration of a recommendation respecting a Demolition Permit. **CARRIED.**

* * * * *

Section 10 Re: Demolition Permit - 55 Balfour Drive

It was moved by Alderman Merling and seconded by Alderman Jackson that the following be added as Section 10 of the TENTH Report for 1995 of the Planning and Development Committee:

10. That the Building Commissioner be authorized to issue a demolition permit for 55 Balfour Drive in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended. Subject to authorization from the Niagara Escarpment Commission.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - TENTH REPORT

Section 11 (b) Lease - Hamilton Firefighters Drum Corps Inc. - 775 Upper Wentworth St.

It was moved by Alderman Ross and seconded by Alderman Jackson:

That Section 11 (b) of the **TENTH** Report for 1995 of the Finance and Administration Committee be amended by adding after the word "of" in the first line the words "a maximum of" and further amended by adding after the word "commencing" in the first line, the words "on or after". **CARRIED.**

ACTING MAYOR FOR THE MONTH OF APRIL, 1995

It was moved by Alderman Kiss and seconded by Alderman Morelli that Alderman H. Merling be appointed Acting Mayor for the month of April, 1995.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Ross. -12.

NAYS: -0. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Morelli that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Ross. -12.

NAYS: -0. **CARRIED.**

BILLS

It was moved by Alderman Kiss and seconded by Alderman Morelli that the following Bills be now read a first time:

C-24, C-25, C-26, C-27.
D-23.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Ross. -12.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Morelli that Council move into Committee of the Whole to consider the following Bills, with Alderman Agostino in the chair. (second reading).

C-24, C-25, C-26, C-27.
D-23.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Ross. -12.

NAYS: -0.

CARRIED.

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Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Morelli that the Report of the Committee of the Whole on the following Bills, be adopted:

C-24, C-25, C-26, C-27.
D-23.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Ross. -12.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Morelli that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

C-24, C-25, C-26, C-27.

D-23.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Ross. -12.

NAYS: -0.

CARRIED.

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City Council then adjourned at 9:05 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz, City Clerk
1995 March 28

JJS/dg

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **EIGHTH** Report for 1995 and respectfully recommends:

1. (a) That it be confirmed with The Head-of-the-Lake Historical Society that due to serious financial constraints impacting on the City's Capital Budget program and in view of the Society's initial proposal to undertake the fountain re-construction project at no cost to the City, no financial support will be forthcoming for the fountain project from the City in 1995; and,

(b) That based on the City's inability to participate financially, The Head-of-the-Lake Historical Society re-assess the viability of the project and advise Committee of its intentions; and,

(c) That should the Society intend to proceed with this project, the Chief Administrative Officer and City Treasurer be authorized to represent this project with senior levels of Government to determine eligibility for funding; and,

(d) That based on receiving confirmation of the Society's intent to proceed with this project, the original fountain site in Gore Park, as shown on the plan attached hereto as Appendix "A", be approved as the location for the reconstruction of the Gore Park Fountain; and, **AMENDED.**

(e) That staff be authorized to assist The Head-of-the-Lake Historical Society with the design and installation of the fountain and the detailed plans for the modification of Gore Park to accommodate the new fountain.

Recorded vote.

YEAS: Aldermen Kiss, Morelli, Agostino, Eisenberger, Jackson, Merling, Ross. -7.

NAYS: Mayor Morrow, Aldermen Agro, McCulloch, Copps, Wilson. -5.

CARRIED.

2. (a) That approval, as required by Section 5(b) and Section 11 (a) and (c) of Parks By-law 77-221 be given to the following community associations:

- (i) Eleanor Community Council to barbecue, sell food and merchandise at the grand opening of their new playstructure at Eleanor Park on 1995 June 3; and,
- (ii) Victoria Park Skating Rink Committee to barbecue and sell food at the Victoria Park Skating Rink Grand Opening at Victoria Park on 1995 March 19; and,
- (iii) Lisgar Park Committee to barbecue, sell food and barbecue at a garage sale/barbecue at Lisgar Park on 1995 June 10; and,
- (iv) Berrisfield Community Council to barbecue and sell food at the Berrisfield Championship Picnic at Berrisfield Park on 1995 August 26; and,
- (v) Project Committee of Christ's Church Cathedral on behalf of the Churches of the Durand Neighbourhood to barbecue, sell food and merchandise for an ecumenical garage sale in Durand Park on 1995 May 6 (raindate 1995 May 13); and,
- (vi) Carter Park Neighbourhood Watch to barbecue and to use amplification equipment during the National Night-Out Festival at Carter Park on 1995 August 1; and,
- (vii) Quinndale Community Council to barbecue and sell food during Opening Day celebrations at Mount Lions Park on 1995 May 27; and,

(b) That approval for the above be subject to the following terms and conditions:

- (i) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton.

3. That approval, as required by Section 24 (1) and Section 11 (1) and Section 26 (3), of the Parks By-law No. 77-221, be given to the Hamilton Regional Cancer Centre, to sell food, alcoholic and non-alcoholic beverages at Globe Park on 1995 August 11, August 12 and August 13 and remain at the facility at Globe Park from Saturday 1995 August 12 at 9:00 o'clock a.m. until Sunday 1995 August 13 at 1:00 o'clock a.m. subject to the following terms and conditions:

- (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and bodily Injury and proof of \$5 million Liquor Licence Liability Insurance to be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,

- (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
- (c) That alcoholic beverages be served in a confined area of the Park upon receipt of approval of the Liquor Licence board; and,
- (d) That special duty officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
- (e) That the Concessionaire at Globe Park be contacted to make the necessary arrangements for the provision of food at that location; and,
- (f) That the applicant comply to the By-law No. 79-292 to Control Noise, and that the organization contact the Noise Control Officer in this regard; and,
- (g) That those organizers and their workers who are providing Alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program".

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Ross. -11.

NAYS: Alderman Jackson. -1.

CARRIED.

4. (a) That approval, as required by Section 24 (1) and Section 5 (b) and Section 11 (1) of the Parks By-law No. 77-221, be given to sell food and non-alcoholic and/or alcoholic beverages to the organizations as follows:

Food and Non-Alcoholic Beverages:

- (i) Calvin Christian School - Mohawk Sports Complex, Track Area - 1995 June 2
- (ii) Federal Express Baseball Tournament - Globe Park - 1995 July 15
- (iii) Epilepsy Hamilton & District - Gage Park - 1995 June 10
- (iv) Canadian Mental Health Association - Turner Farm Park - 1995 July 8
- (v) Ridge Raiders Drum & Bugle Corps - Sackville Stadium - 1995 June 24; and,

Food and Non-Alcoholic and Alcoholic Beverages:

- (i) Hamilton & District Slo-Pitch - Globe Park - 1995 June 16/17/18
 - (ii) Hamilton & District Slo-Pitch - Globe Park - 1995 August 25/26/27
 - (iii) Wentworth Adult Mixed Slo-Pitch - Globe Park - 1995 June 2/3/4
 - (iv) Hamilton Ladies Slo-Pitch Association - Globe Park - 1995 May 27/28
 - (v) Gourley Park Community - James MacDonald School Park - 1995 July 8 (rain: 1995 July 15)
 - (vi) Canusa Games Fund Raiser - Turner Farm Park - 1995 June 2/3/4/5; and,
- (b) That approval for the above at those locations and dates be subject to the following terms and conditions:
- (i) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury and proof of \$5 million Liquor Licence Liability Insurance to be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,
 - (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (iii) That alcoholic beverages be served in a confined area of the Park upon receipt of approval of the Liquor Licence board; and,
 - (iv) That special duty officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (v) That the Concessionaire at Globe Park be contacted to make the necessary arrangements for the provision of food at that location; and,
 - (vi) That those organizers and their workers who are providing Alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program".

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Ross. -11.
NAYS: Alderman Jackson. -1. **CARRIED.**

5. (a) That permission be granted to I.M.G. Circus Corporation (Garden Brothers Circus) to use the Mountain Arena from 1995 April 14 to April 16, for seven performances subject to the following terms and conditions:
 - (i) The Licence Fee to be paid by the Promoter to the City shall be \$935. per performance; and,
 - (ii) The cost of casual labour, full time over time premium pay for 1995 April 14 (Good Friday), April 17 (Easter Monday) and SOCAN music tariffs are the responsibility of the Promoter; and,
 - (iii) The Promoter will furnish at its own expense, the complete personnel, publicity, advertising, stage settings, stage hands, spotlights, spotlight operators, production and presentation of performances. The Promoter also agrees to provide police protection as deemed necessary by the Director of Culture and Recreation and the Hamilton-Wentworth Chief of Police; and,
 - (iv) Arrangement and payment for animal waste dumpsters shall be the responsibility of the Promoter; and,
 - (v) The Promoter agrees not to do or permit any act which is contrary to any statute or regulation of any competent authority or whereby the policies of insurance of the City might be endangered or the right, including copyright, of any other person might be offended; and,
 - (vi) The Promoter agrees to indemnify the City against damages, claims or losses alleged or actually suffered by reason of such act, including actions for liable and slander; and,
 - (vii) The Promoter will provide proof of three million dollars of public liability insurance coverage, with the City named as additionally insured with cross liability endorsement and severability of interest; and,
 - (viii) The Promoter agrees to promptly repair all damages caused to the Mountain Arena building, grounds, chattels and equipment caused by spectators, participants, the Promoter, its agents or contractors, or to pay the full cost of same; and,
 - (ix) The Promoter, its agents and employees shall not arrive at the Mountain Arena earlier than 8:00 a.m. on April 13 and shall vacate the premises no later than noon on 1995 April 17; and,

- | | | | |
|-----|-----------------------|----------|-------------------------------------|
| (x) | Performance Schedule: | April 14 | 4:15 p.m. and 7:30 p.m. |
| | | April 15 | 11:00 a.m., 3:30 p.m. and 7:30 p.m. |
| | | April 16 | 1:00 p.m. and 4:30 p.m.; and, |

- (b) That the City enter into a Licence Agreement with I.M.G. Circus Corp. (Garden Brothers Circus) satisfactory to the City Solicitor; and,
 - (c) That the Hamilton Society for the Prevention of Cruelty to Animals (H.S.P.C.A.) be advised of this event and be invited to attend in order to monitor the event activities.
6. (a) That permission be granted to the Portuguese Association of St. Michael the Archangel as required by Section 5 (b) and Section 24 (1) of the Parks By-law No. 77-221 to sell food and alcoholic beverages on the occasions of the Annual Festival of the Holy Spirit, 1995 June 9, 10 and 11, in the Dundurn Park Pavilion, subject to the following terms and conditions:
- (i) That proof of \$5 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury and Liquor liability insurance to be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,
 - (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (iii) That alcoholic beverages may be served in the confined area of the Pavilion 12:00 o'clock noon - 8:00 o'clock p.m. on June 9, 9:00 o'clock a.m. - 11:00 o'clock p.m. on June 10 and 9:00 o'clock a.m. - 10:00 o'clock p.m. June 11, upon receipt of approval of the Liquor Licence Board; and,
 - (iv) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
- (b) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team and;
 - (c) That those organizers and their workers who are providing Alcoholic Beverages be encourage to participate on a volunteer basis, in a "Server Intervention Training Program".

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Ross. -11.

NAYS: Alderman Jackson. -1.

CARRIED.

7.
 - (a) That the Director of Culture and Recreation be authorized to issue 4 (four) free golf passes, redeemable at either Chedoke or King's Forest golf courses during the 1995 Golf Season to the Hamilton-Wentworth Lung Association; and,
 - (b) That the Director of Culture and Recreation be directed to prepare a policy to grant the issuance of activity passes to community groups and associations.
8. That approval be given to the Director of Culture and Recreation to:
 - (a) deaccession the following artifacts that are currently housed in the Burlington Street storage facility and in the Dundurn Castle Stables:
 - (i) 1966.8.2.1-10: 10 wooden side chairs with leather upholstery, good condition, purchased in Montreal in 1966 for dining room before present set of chairs purchased; and,
 - (ii) 1965.58: wooden side board c.1865, poor condition, originally from Bermuda, donated in 1965 (stored in stables); and,
 - (iii) 1970: wooden drafting desk c.1870, poor condition, Waterdown area, in 1976 (stored in stables); and,
 - (iv) O.C. 703.1: wood framed leather sofa, c. 1875-1890, poor condition (stored in stables); and,
 - (v) 1970.144.1 a&b: ceramic stove, c.1880, fair condition (stables); and,
 - (vi) O.C. 469.1: oak chest, c.1650 (or probably 19th century repro.) very poor condition; and,
 - (vii-xiv) O.C.21.1, O.C.341, O.C.355.1, 1970.121.1, 1970.124.1, 1971.20.241, 1971.20.242, 1976.11.3: leather bound steamer trunks, late 19th-early 20th century, very poor condition; and,
 - (b) That the items be disposed of according to the Museum Policy and City of Hamilton Purchasing Policy; and,

- (c) That any funds realized from the possible sale of the above artifacts be deposited in the Freda Waldon Trust Fund for acquisition of artifacts for Dundurn Castle.
9. That permission be granted to the Director of Culture and Recreation to:
- (a) arrange with the Purchasing Division for the sale of the following previously deaccessioned items from the Dundurn Castle storage collection according to the City of Hamilton Purchasing Policy:
 - (i) staircase bannisters 1979.25.1a-b, 1979.25.a-c, 1979.25.3a-b, 1979.25.4ad; and,
 - (ii) railing sections (from old City Hall, representative elements on display at new City Hall) 1960.500.7a-g, 1960.500.9; and,
 - (iii) bed parts O.C.465.3a-h; and,
 - (iv) spinning wheels and parts O.C.453.1, O.C.452.1, O.C.451.1, O.C.455.2, O.C.445.30, O.C.445.27; and,
 - (v) gasoliers (Dundurn c.1899) O.C.668.1-.2; and,
 - (vi) feather wreaths 979.O.C.5.5-5.2; and,
 - (b) that any funds resulting in the sale of above be deposited in the Freda Waldon Trust Fund for acquisition of artifacts for Dundurn Castle.
10. (a) That the full responsibility, accountability and allocated budget for the operation, as attached hereto as Appendix "B", of the Public Works Department, Parks Division, Facilities Section be transferred to the Culture and Recreation Department under the direction of the Director of Culture and Recreation; and,
- (b) That the full responsibility, accountability and allocated budget for the City's playground equipment including tennis courts, bocci, basketball, spray pads and play structures be transferred from the Culture and Recreation Department to the Public Works Department, under the direction of the Director of Public Works; and,
- (c) That the Directors of Public Works and Culture and Recreation Departments be authorized to implement the necessary staff and budget transfers and to report on these matters by 1995 March 31.
11. That the Hamilton Basketball Association's registration fee be increased from \$50. to \$55. per youth for the 1995 - 1996 Season.

12. (a) That the Camp Kidaca camper weekly registration fee be increased from \$50. to \$60.; and,

(b) That two additional Camp Counsellors be hired under contractual services to assist with programs and supervision.
13. (a) That the Beach Strip Adventure Day Camp registration fee be increased from \$30. to \$40. per child per week; and,

(b) That the pick-up and drop-off bus service be eliminated for the 1995 summer season.

Recorded vote on 13 (a).

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger Jackson, Merling, Ross. -11.

NAYS: Alderman Agostino. -1.

CARRIED.

14. (a) That permission be granted to the Lawfield Minor Hockey Association Incorporated to install a plaque within Lawfield Arena in memorium of Danny Parr and many other volunteers who have passed away after contributing their time and effort to the Lawfield community; and,

(b) That the location of this plaque be subject to the approval of the Manager, Property and Maintenance, Property Department and the Facility Supervisor, Lawfield Arena.
15. That the City renew the Licence Agreement, satisfactory to the City Solicitor, with the Hamilton Hornets Rugby Football Club to use the Clubhouse addition to the Field House, and the cement storage area in the Mohawk Sports Park for a one (1) year period with an option for the City to renew, for a further 2 five (5) year periods, subject to the following terms and conditions:
 - (a) That the Club will not apply for or hold a permanent liquor licence during the term of this licence agreement; and,
 - (b) That the Club obtain Special Occasion Permits to cover all consumption of alcoholic beverages associated with its activities and events, subject to Council approval; and,
 - (c) That the Club provide requests for Special Occasion Permits a minimum of 45 days in advance of the date(s); and,

- (d) That the Club pay an annual licence fee in the amount \$1,200. per year payable in monthly instalments, on the first day of the month, for the primary use of the Clubhouse; and,
 - (e) That the Club be required to pay an annual sum equal to 100% of the heating costs of the leased Clubhouse area for the period November to March inclusive; and,
 - (f) That the Club continue to pay for use of the sports fields according to established rates; and,
 - (g) That the Club maintain the licenced space at its own expense to the satisfaction of the Director of Culture and Recreation; and,
 - (h) That the City reserves the right to schedule other uses of the Clubhouse with due notice given to the Club; and,
 - (i) That proof of Commercial and General Liability, inclusive of Bodily Injury, Property Damage and All Risks Tenants Legal Liability, in the amount of \$5 million, to include but not limited to Liquor Liability, satisfactory to the City Solicitor, naming the City as co-insured be provided, or such higher amount as the City Solicitor, acting reasonably, may in future request.
16. That purchase orders be issued for the supply and delivery of Aggregates as and when required during 1995 by the Public Works Department in accordance with specifications issued by the Purchasing Division and the Vendors' tenders, and financed through Stock Materials Account No. CH56197 60999, as follows:

<u>Supplier</u>	<u>Material</u>	<u>Unit Pricing</u> (\$/tonne)
1. Lakeview Sand & Gravel	Granular 'A'	\$ 7.20
2. Taro Aggregates Ltd.	19mm Clear	\$ 8.85
3. Cayuga Materials & Construction	9.5mm Chips Washed	\$12.25
4. Taro Aggregates Ltd.	53mm Clear	\$ 8.85
5. Redland Quarries	#8 Dust Suppressed Grits	\$27.75
6. Redland Quarries	Athlete Field Lime	\$15.75
7. Lakeview Sand & Gravel	19mm Crusher Run	\$ 7.40
8. Redland Quarries	53mm Crusher Run	\$ 7.69
9. Lafarge Construction Materials	Rubble Stone	\$15.10
10. Lafarge Construction Materials	75-200mm Gabion Stone	\$15.10
11. Redland Quarries	9.5mm Screenings	\$ 7.85

* Note all prices are based upon delivery via tri-axle or tandem. GST and PST extra where applicable.

17. (a) That approval be given for the City of Hamilton to enter into a lease agreement in a form satisfactory to the City Solicitor, with Ontario Hydro, to lease the lands more particularly described as part of Lot 55, Concession 2, formerly in the Geographic Township of Ancaster, containing .777 hectares (1.92 acres) more or less, for an annual rental of \$2,100. plus GST, plus 50% of applicable taxes (estimated to be \$500.) to be charged to Account No. CH56398 62102 (General Park Maintenance) for ingress and egress for the purpose of parking motor vehicles only, for a term of twenty (20) years commencing on 1995 April 1; and,
- (b) That it be understood and agreed that part of the licensed lands are subject to an easement in favour of Trans Canada Pipelines as in Instrument No. 206418 H.L; and,
- (c) That it be understood and agreed that the lease be subject to the following terms and conditions:
 - (i) the City install a post and cable fence around the perimeter of the parking area and driveway; and,
 - (ii) that subject area is to be kept free of debris and snow is not be piled on the site or abutting Ontario Hydro lands; and,
 - (iii) the City shall comply with the Design Standards of Ontario Hydro and the Ontario Health & Safety Act R.S.O. 1980; and,
 - (iv) Ontario Hydro access must not be impeded at any time during and after the construction; and,
 - (v) any future landscaping or lighting on the subject lands must be approved in writing by Ontario Hydro prior to its installation; and,
 - (vi) the City shall be responsible to maintain the culvert under the driveway off Scenic Drive to the satisfaction of Ontario Hydro; and,
 - (vii) the City shall ensure that the height of any vehicle, load, or the object, including attachments, or people standing near Ontario Hydro's conductors will not exceed 4.115 metres (13.5 feet) above existing grade; and,
 - (viii) this agreement may be terminated by either party any time after the expiration of the initial term upon thirty (30) days notice in writing; and,
 - (ix) the City be responsible for the maintenance of the entire licensed area; and,

- (x) the City pay the sum of \$2,100. plus GST in advance on the first day of each and every year during the first 5 year period of the 20 year term and an amount to be determined by Ontario Hydro at or before the commencement of any subsequent 5 year period; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
- 18.
- (a) That in the event the Building Department determines that the current number of parking spaces is insufficient for the new building wing at Inch Park Arena, that parking be provided on the vacant City property located at the south-west corner of East 18th Street and Queensdale Avenue East and that the required zoning (G3) be applied; and,
 - (b) That in the event the Building Department determines that the current number of parking spaces is insufficient for the new building that the new service driveway for Parkdale Arena be allowed to be enlarged to accommodate additional parking of approximately 20 spaces; and,
 - (c) That any expansion of the parking lots within the Park be in consultation with the Parks Division of the Public Works Department, Culture and Recreation Department and Community Groups utilizing the Park.
- 19.
- (a) That Alderman F. Eisenberger, Alderman D. Wilson and Alderman B. Charters be appointed to serve on the Red Hill Valley Advisory Committee; and,
 - (b) That Werner Plessl (Chris Firth-Eagland, alternate) be appointed to serve as the municipal staff representative on the technical support team; and,
 - (c) That two members of City Council be appointed to serve on the World Biosphere International Centre Committee; and,
 - (d) That Bob Chrystian (Chris Firth-Eagland, alternate) be appointed to serve as the municipal staff representative on the Staff Technical Committee; and,
 - (e) That Bob Chrystian be appointed to serve as the City's staff representative on the Interviewing Committee for citizen members along with a staff representative from the Province and Conservation Authority.

20. (a) That the Director of Property be directed to extend the lease in its present form with the owner(s) of Scott-MacDonald Marine on a month to month basis until 1996 April 30; and,
- (b) That staff be directed to negotiate a long term lease at a fair market value with the owner(s) of Scott-MacDonald Marine with the provision of a pedestrian access through the property; and,
- (c) That if an agreeable lease agreement, suitable to the City cannot be reached, the present lease agreement be terminated on or before 1996 April 30; and,
- (d) That staff be directed to report back on the issue of the lease agreement negotiations and long term plans for the subject property in conjunction with the Waterfront Development Project. **REFERRED BACK FOR MORE PUBLIC INPUT.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Copps, Agostino, Eisenberger. -7.

NAYS: Aldermen Morelli, Jackson, Merling, Ross. -4. **CARRIED.**

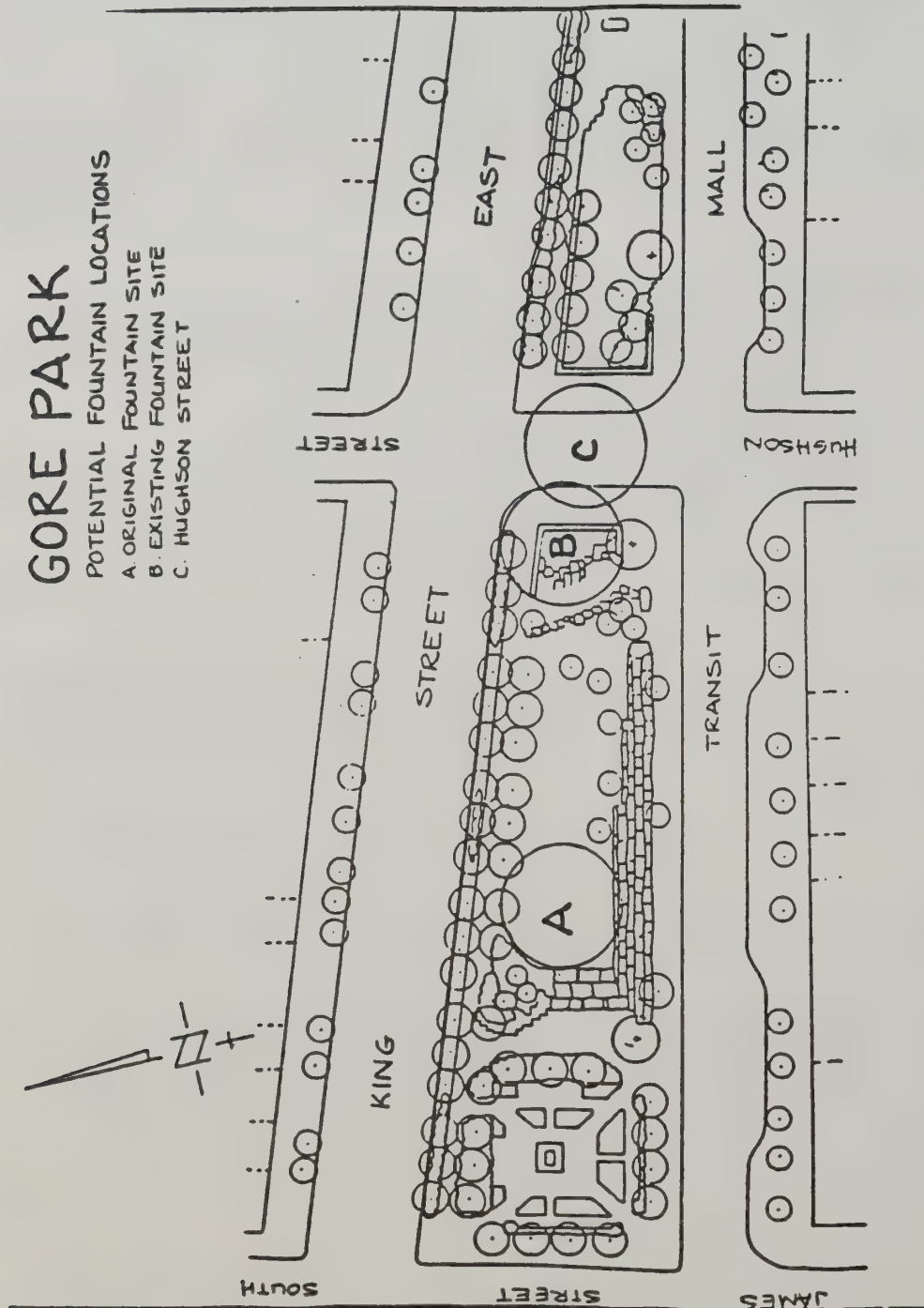
Respectfully Submitted,

**ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson
Secretary**

1995 March 21

Appendix "A" as referred to
in Section 1 of the Eighth
Report of the Parks and
Recreation Committee for 1995



Appendix "B" as referred to
in Section 10 of the Eighth
Report of the Parks and
Recreation Committee for 1995

Public Works, Parks Division, Facilities Section including and limited to:

- Chedoke Golf Course
- Kings Forest Golf Course
- Chedoke Winter Sports Park
- Churchill Lawnbowling
- Fernleigh Lawnbowling
- Roselawn Lawnbowling
- Mt. Hamilton Lawnbowling
- Ivor Wynne Stadium
- Brian Timmis Stadium

The following park locations and facilities will be retained by Public Works:

- Globe Park
- Victoria Park
- Sackville Hill Park
- Mohawk Sports Park

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TENTH** Report for 1995 and respectfully recommends:

1. That approval be given to Zoning Application ZAR-95-03, B.Y.M. Construction Limited (668674 Ontario Limited) and Bergamot Holdings Limited, owner, requesting a further modification to the "G" (Neighbourhood Shopping Centre, etc.) District regulations, to permit a ground (pylon) sign for business identification, for property located at No. 969 Upper Ottawa Street, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the "G" (Neighbourhood Shopping Centre, etc.) District regulations as contained in Section 13 of By-law No. 6593, as amended by By-law Nos. 70-259, 73-291, 75-178, 83-169 and 84-101, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (i) Notwithstanding Section 13, only one ground sign for shopping centre and/or business identification shall be permitted along Upper Ottawa Street only, subject to the following requirements:
 - (1) no sign shall be more than 7.4 m in height and every sign shall have a height of at least 1.8 m from the ground to the bottom of the sign;
 - (2) no sign shall be more than 15.0 m² in area;
 - (3) every sign shall be setback a minimum of 4.5 m from any lot line; and,
 - (4) no sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination.
 - (b) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-413c, and that the subject lands on Zoning District Map E-59A be notated S-413c.
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59A, for presentation to City Council.
 - (d) That this proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. That the Building Department be directed to implement the revised Barton Street Redevelopment Program as outlined on Appendice "B", "C", and "D" attached.
3. That Item 2.A. of the Fifth Report of the Planning and Development Committee to City Council on 1995 January 31, respecting Zoning Application ZAC-94-27 by Gerald Coleman and Robert Coleman, for lands at 71 Rymal Road West, be amended by renumbering (d),(e) and (f) to (h),(i) and (j) and inserting the following:
 - (a) (iii) a wall sign having a maximum area of 4m²;
 - (d) That notwithstanding the provisions of Section 18A (14a) and (14g) of Zoning By-law No. 6593, parking may be provided in the required front yard and not less than 15% of the gross area of the front yard shall be used for landscaped area.
 - (e) That notwithstanding the provisions of Section 18 (4)(iv) of Zoning By-law No. 6593, the accessory shed is permitted within the required side yard but shall not be closer than 1.5m to the side lot line.
 - (f) That notwithstanding the provisions of Section 18A (26) of Zoning By-law No. 6593, the access driveway must be at least 1.5m from the west property line.
 - (g) A landscape planting strip having a minimum width of 1.5 m shall be provided and maintained along the street line (northerly property line), except for any area used for vehicular access.
4.
 - (a) That the City accept and execute the Minutes of Settlement attached as Appendix "E", once same has been executed by all other noted parties.
 - (b) That an Addendum to the Minutes of Settlement be entered into by Seven Towers Non-Profit Family Day Care Inc. (hereinafter called "Seven Towers") and the City whereby Seven Towers, at its sole expense, agrees to:
 - (i) close off the existing South approach with concrete curbing as shown on Appendix "F" attached, to the satisfaction of the Director of Public Works; and
 - (ii) remove the asphalt/concrete hard surfacing to the East of the concrete curbing to be installed as shown on Appendix "F" attached, and landscape same to the satisfaction of the Director of Public Works.
 - (c) That the City revise its current Lease dated the 14th day of December 1993 with Seven Towers to reflect the Minutes of Settlement and Addendum.

- (d) That upon completion of (a), (b), and (c) above, City staff report to the Ontario Municipal Board on the position the City has taken on this matter.
- (e) That the works required as a result of the Minutes of Settlement and Addendum be approved without a Site Plan Control Application.
- 5. (a) That the City of Hamilton terminate the Lease Agreement at 22 Tiffany Street with P. Italiano effective 1995 April 1; and,
 - (b) That the City Solicitor be authorized and directed to discharge this Lease Agreement.
- 6. (a) That an Agreement by Owner to Accept Compensation, executed by Fedele Intini, on 1995 March 8 and to be completed on or before 1995 March 31, for the lands and buildings expropriated on 1991 April 9, having a frontage of 7.62 metres (25 feet), along the southerly limit of Brant Street, comprising an area of 185.8 square metres (2,000 square feet), more particularly described as 217 Brant Street, Hamilton, be approved and completed. This settlement includes final compensation at \$144,645.78; including payment of professional fees and disbursements at \$16,589.56 (\$5,078 to be paid directly to Geographic Realty Appraisal Ltd.), plus 6% interest on unpaid compensation from 1991 April 9 to the date of closing (\$75,586.79 of the said final compensation has already been paid to the former owner on 1992 May 7) and costs for this settlement be charged to Account No. CF 5590 308750001 (Alpha Enclave Clearance Program); and,
 - (b) That it is understood and agreed that in addition the City agrees to pay Fedele Intini's reasonable additional legal fees incurred after 1994 January 26, provided the account for legal services, the hourly rates and hours incurred are satisfactory to the City Solicitor, failing agreement the City agrees to pay the amount of such fee assessed by an assessment officer of the Ontario Court of Justice; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents for the settlement.
- 7. That the City of Hamilton accept the sum of \$3,750.00 as cash payment in lieu of the 5% land dedication in connection with "Claudette Gardens - Phase 7", Hamilton, this being the cash payment required under Section 51 of the Planning Act.
- 8. That City Initiative 94-G for a general text amendment to Zoning By-law No. 6593 to add billiard rooms as a permitted use in the "H" (Community Shopping and Commercial, etc.) District be denied on the following basis:

That the existing "H" (Community Shopping and Commercial, etc.) District regulations are deemed to be appropriate.

9. That leave be granted to introduce the following Bills:

- (a) C-24 A By-law to Establish Site Plan Control Respecting Land Located at 71 Rymal Road West.
- (b) C-25 A By-law to Amend Zoning By-Law No. 6593 Respecting Land Located at 71 Rymal Road West.
- (c) C-26 A By-law to Amend Zoning By-Law No. 6593 Respecting Lands Located at the Rear of 144 Limeridge Road East.
- (d) C-27 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at the South-East corner of Stone Church Road East and Dicenzo Drive.

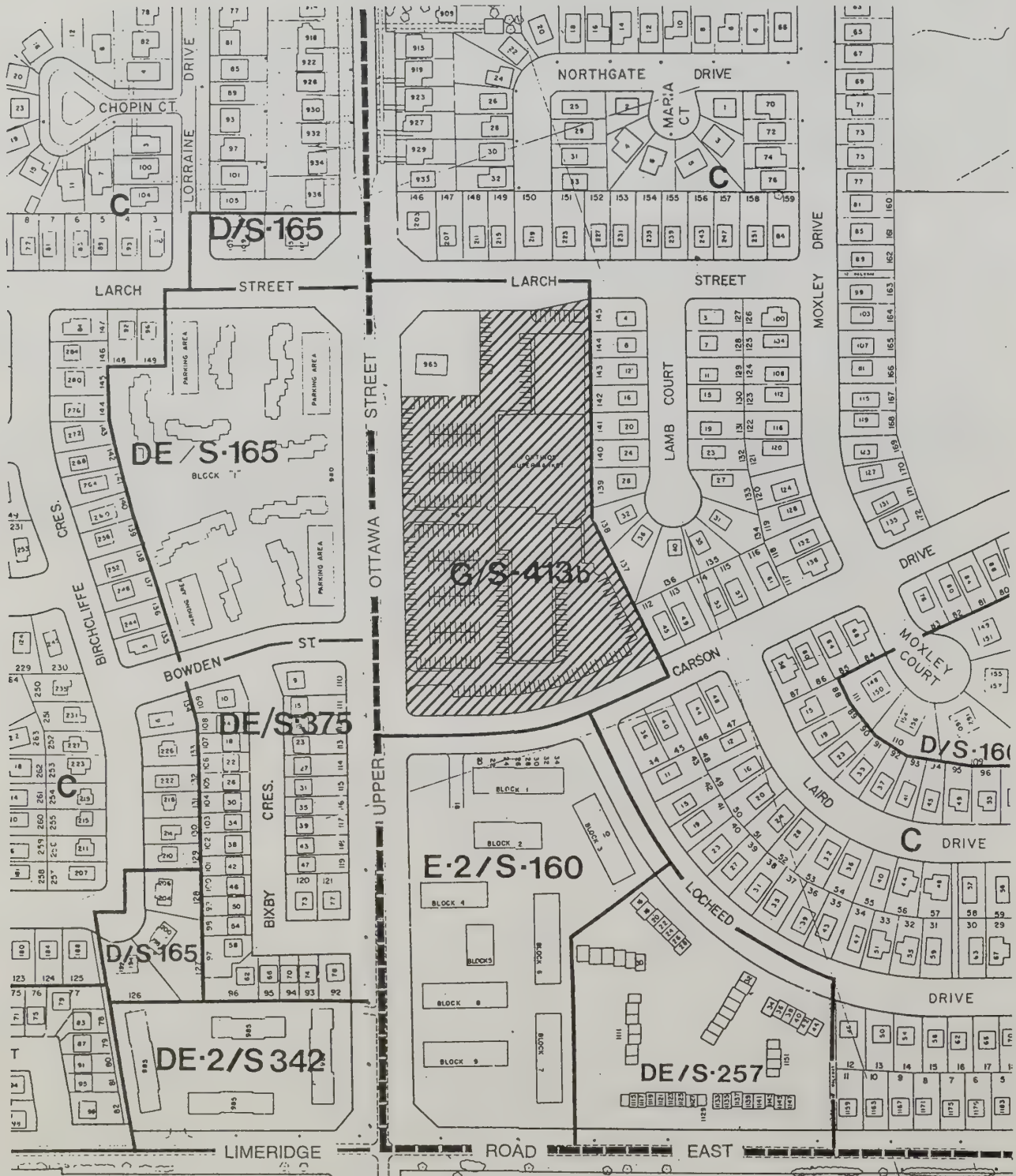
10. That the Building Commissioner be authorized to issue a demolition permit for 55 Balfour Drive in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended. Subject to authorization from the Niagara Escarpment Commission. **ADDED.**

RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Stella Glover
Secretary**

1995 March 22



Legend



Site of the Application



APPENDIX A

BARTON STREET REVITALIZATION GRANTS

- Grants will be made available to all those who borrow from the Commercial Loan Programme to fund rehabilitation of a building within the Barton Street B.I.A.
- Both secured and unsecured loans may be held concurrently.
- Grant instalments will be advanced by the direct paying down of principal in a Commercial Loan Program borrowers' loan account by the Treasurer.
- All three year grant instalments will be segregated into a separate treasury account at the time of grant approval for eventual pay out.
- All grants and unsecured loans will be funded only from available provincial funds.
- Loans will be for a ten (10) year term at an interest rate of one half of prime at the time of loan finalization.

Secured Borrowers

- The grants will be made available to secured borrowers in three (3) instalments at the rate of:

15% of the loan amount at the time of construction completion as approved by a Building Inspector authorized by the City, and;

15% of the original loan amount on the anniversary date of the first advance, and;

20% on the anniversary date of the second advance.
- The maximum grant on a loan for a single business address is not to exceed \$20,000. and all instalments are to reflect the 15:15:20 ratio.
- The maximum grant for a multiple business address or to a single owner of more than one building within the B.I.A. (with more than one resultant business address) is not to exceed \$30,000. and the instalments are to reflect the 15:15:20 ratio.

MURAL PROJECT

- The City will provide up to \$20,000. yearly from available provincial funds to the Barton Street B.I.A. for mural projects within the B.I.A. Guidelines for the murals will be established by the City's Art Co-ordinator and final approval will rest with the B.I.A., the Arts Advisory Sub-Committee and the Task Force of the Barton Street Revitalization/Cultural Industry Strategy.
- Co-ordination will be the responsibility of the B.I.A.
- Costs for co-ordination, wages and materials are to be submitted for approval along with the art itself, and will be advanced monthly on a per cent of completion basis.

STREET FESTIVAL

- The City will provide up to \$40,000. yearly from available provincial funds to the Barton Street B.I.A. if it should decide to hold a street festival.
- Co-ordination of the festival will be solely the responsibility of the B.I.A. An appropriate portion of the funds will be made available in advance, final reimbursement of the B.I.A. will be made once a statement of account for the festival is presented.

STREET ENHANCEMENT

- Up to one third or \$330,000. of the available Provincial funding of \$1-million will be utilized for street enhancement projects.
- Street light fixtures, alley lighting, banners, and island plantings are expected to be installed.
- As has been the case in other B.I.A.'s, the Public Works Department will both co-ordinate and implement many of the individual work projects.
- Funds will be advanced to Public Works or the B.I.A. as is appropriate.
- Public Works is doing a separate design study of the Barton B.I.A. streetscape in the Summer of 1995, which will be used to integrate these projects with any done in the future.

ONTARIO MUNICIPAL BOARD

OMB FILE NO. R940341 and 0940219

IN THE MATTER OF Section 22(1) of the Planning Act (R.S.O. 1990, c.p. 13)

AND IN THE MATTER OF a referral to this Board by the Regional Municipality of Hamilton-Wentworth on a request by John Dorsay et al for consideration of an application for an amendment to the Official Plan for the City of Hamilton to redesignate lands located at No. 44 Greendale Drive, in the City of Hamilton to permit an administrative office for a child care agency in conjunction with an existing day nursery and to reduce the maximum number of children to be accommodated in the existing day nursery from 200 to 104.

OMB File No.: 0940219

-and-

IN THE MATTER OF Section 34(19) of the Planning Act (R.S.O. 1990, c.P. 13)

AND IN THE MATTER OF an appeal to this Board by John Dorsay et al for an order repealing Zoning By-law No. 94-134 of the City of Hamilton which zoning by-law would permit an administrative office for a child care agency in conjunction with an existing day nursery located at 44 Greendale Drive, in the City of Hamilton, and would also reduce the maximum number of children to be accommodated in the existing day nursery from 200 to 104.

OMB File No. R940341

MINUTES OF SETTLEMENT

WHEREAS Seven Towers Non-Profit Family Day Care Inc. ("Seven Towers") is the owner-operator of a day nursery at premises known as 44 Greendale Drive in the City of Hamilton; and Seven Towers has made applications for an Official Plan amendment and for an amending zoning by-law so that an administrative office could be constructed at the premises for use in conjunction with the existing day nursery;

AND WHEREAS John Dorsay and others have objected to such applications;

AND WHEREAS a settlement has been arrived at by all necessary parties, and these minutes are intended to record same;

NOW THEREFORE the undersigned mutually agree as follows:

1. Seven Towers shall amend its lease with the City of Hamilton to require that:
 - (a) the driveway upon the premises of Seven Towers shall be re-routed, through the parking area forming part of the premises, in order that no one is able to drive straight through from Garth Street to Greendale Drive in accordance with Appendix "A" attached; and,
 - (b) signs shall be posted to indicate that the driveway is private property.
2. Seven Towers agrees that the existing trees on the premises will be preserved and maintained and will not be removed as part of the construction of the administrative office facilities.
3. Each of the objectors listed herein shall submit to the Ontario Municipal Board, through Mr. Art Zuidema, acting as counsel for the City of Hamilton, a letter notifying the Board of the withdrawal of their objections.

DATED at Hamilton, Ontario, this 26th day of January, 1995.

**SEVEN TOWERS NON-PROFIT
FAMILY DAY CARE INC.**

Per:

Marni Flaherty, C.E.O.

John Dorsay

Jan Park Dorsay

Florence Mortensen

Robin Mortensen

**THE CORPORATION OF THE
CITY OF HAMILTON**

Per:

Mayor - Robert M. Morrow

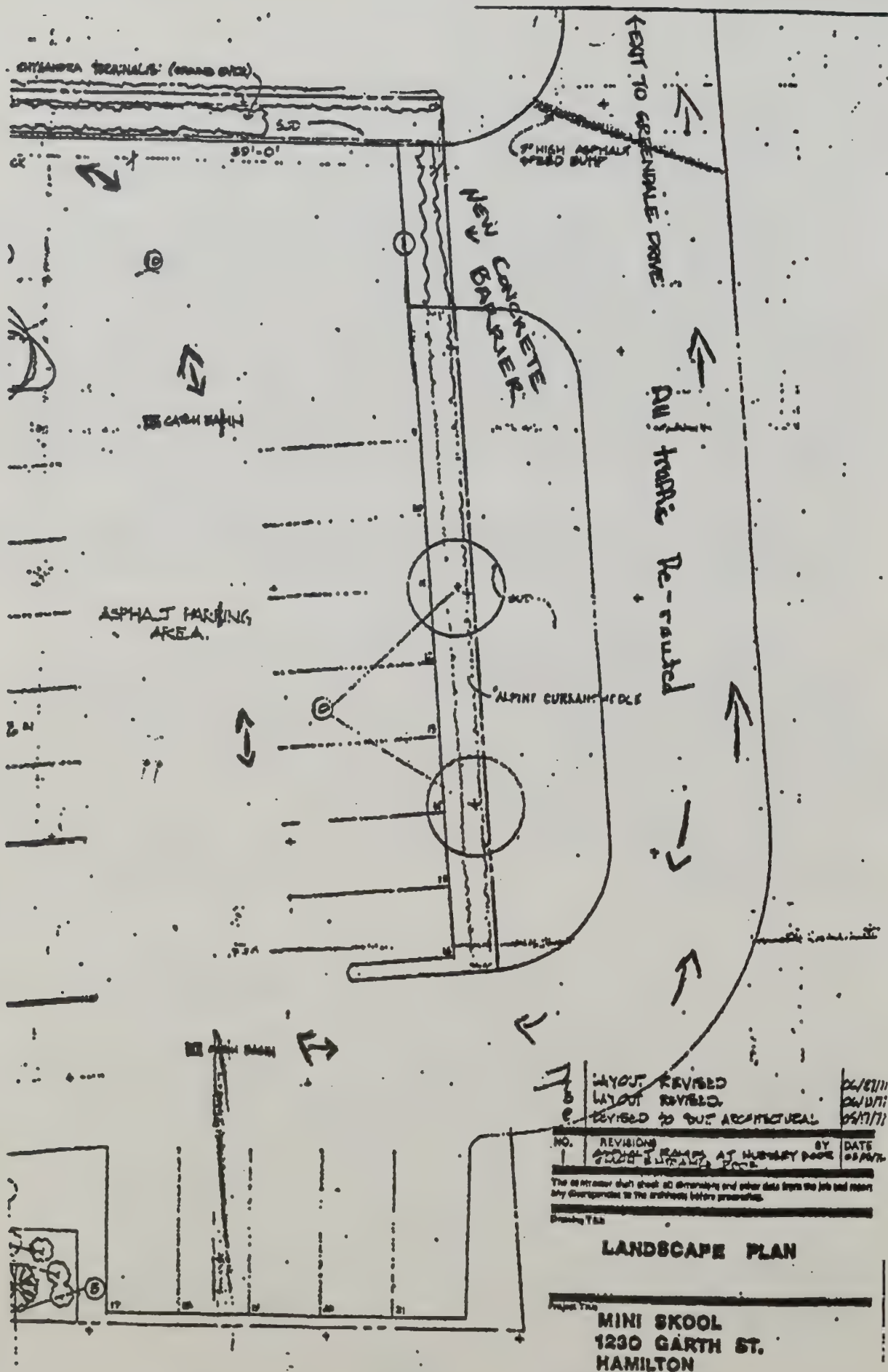
City Clerk - Joseph J. Schatz

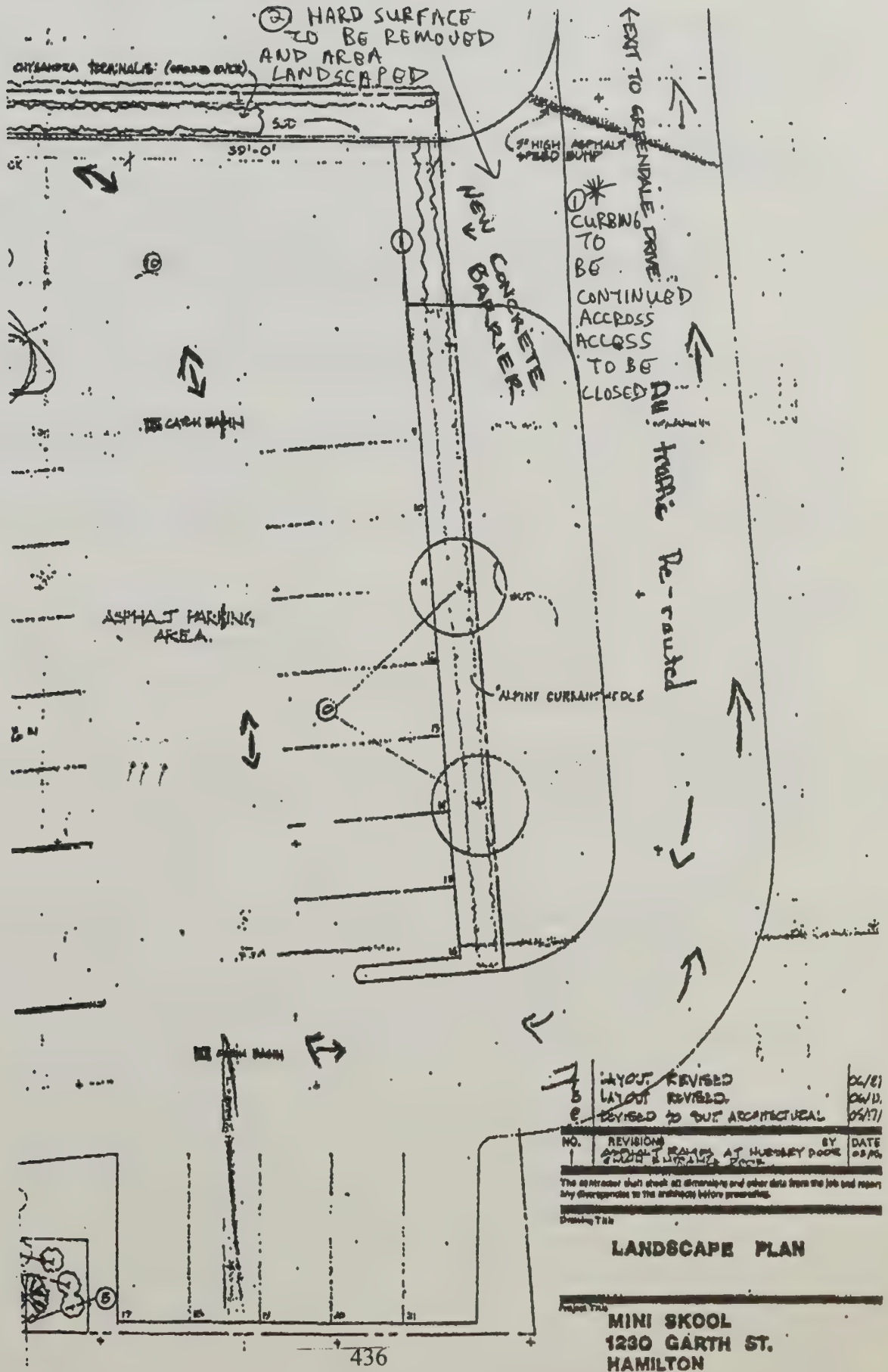
William H. Edwards

Betty Edwards

Keith Sampson

Lisa Sampson





REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TENTH** Report for 1995 and respectfully recommends:

1. (a) That the City resolve Ontario Court (General Division) Action No. 6594/94 by the payment to the Plaintiff, Mary Anne Lapceвич, of the sum of \$3,291.18 inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiff be required to issue a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 6594/94 be dismissed without costs.
2. (a) That the City Offer to Settle Ontario Court (General Division) Action No. 19876/90 on the following terms:
 - (i) That if this Offer to Settle is accepted within sixty (60) days of its date the Plaintiff will accept from the Defendants \$32,000. inclusive of all claims for damages, interest, costs and disbursements in full settlement of the claim; and,
 - (ii) That if this Offer to Settle is accepted after sixty (60) days from its date the Plaintiffs will receive from the Defendants:
 - (1) General damages in the amount of \$7,500.; and,
 - (2) Special damages in the amount of \$11,776.40; and,
 - (3) Pre-Judgment interest on the above amounts in accordance with the provisions of the Courts of Justice Act; and,
 - (4) Their Party/Party costs to the date of the Offer and their Solicitor/Client costs from the date of the Offer to the date of acceptance, such costs to be agreed between the parties or assessed; and,
 - (5) Their taxable disbursements of this action, such disbursements to be agreed between the parties or assessed; and,

- (iii) This Offer remains open for acceptance until the commencement of trial, or until withdrawn whichever first occurs; and,
- (b) That the City decline the Defendants offer to settle this action for \$20,000. inclusive of all claims for damages, interest and costs.
- 3.
 - (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 7677/94 by the payment to the Plaintiff, Ellen Reinke, of the sum of \$3,000. inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 7677/94 be dismissed without costs.
- 4. That approval be given to the actions taken by the City Clerk in authorizing the Women's Centre of Hamilton-Wentworth to use the City Hall forecourt and the property located on the far north/east side (closest to the Unified Family Court), for a brief demonstration in support of a local woman in her quest to protest a court order.
- 5. That the listing of Appointments To and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1995 March 10, attached herewith and marked Appendix "A", be approved.
- 6. That a purchase order be issued to Turf Care Products, Newmarket, in the amount of \$135,701., including all applicable taxes and trade-in, for the replacement of two (2) Units #0102, 9527 for Fleet Services, being the lowest acceptable of two tenders received in accordance with specifications issued by Purchasing and Vendor's Tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.
- 7. That an additional upset limit of \$20,000. for consulting services for the Development Charges Study be allocated from Account CH55406-24101 Fees-Consultants as provided for in the draft 1995 Current Budget.
- 8.
 - (a) That the City of Hamilton annually participate in the Volunteer Centre of Hamilton and District's Indoor Golf Tournament; and,
 - (b) That the City of Hamilton annually budget the fee, presently \$150. to enter a Corporate Team to participate in the event; and,
 - (c) That the City of Hamilton recognize its employees who had perfect attendance records throughout the previous year by randomly selecting four people to form the Corporate Team and to represent the City of Hamilton at this event.

9. (a) That in keeping with a zero percent increase, that an amount of \$2,625.80 be approved for the Hamilton Corporate Challenge to be used towards the cost of entering and sponsoring two (2) teams of Civic employees taking part in the Hamilton Corporate Challenge being organized by the Hamilton and District Chamber of Commerce on Sunday, 1995 June 11 at Christie Conservation Area; and,

(b) That funding for this expenditure be financed from the Unclassified Account.
10. (a) That a purchase order be issued to Bestco Construction Corporation in the amount of \$104,776.54, inclusive of G.S.T. (\$6,854.54), for the rehabilitation of the building envelope at Sir Allan MacNab Recreation Centre being the lowest of seven tenders received in accordance with specifications (REF: C14-1-95) issued by the Manager of Purchasing; and,

(b) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor.
11. (a) That the City of Hamilton enter into a lease with the Hamilton Firefighters Drum Corps Inc. respecting the use of the City owned building at 775 Upper Wentworth Street; and,

(b) That the term be for a period of ~~a maximum of~~ four (4) months commencing ~~on or after~~ 1995 April 1 and expiring 1995 July 31, at a rental rate of \$200. per month due on the first (1st) day of each month and proceeds be credited to Account No. CH 44104 31106 (Rental Civic Property - Civic Properties Rented); and,

AMENDED.

(c) That if the City receives any complaints about noise emanating from the Upper Wentworth Street Composite Building as a result of the occupancy by the Hamilton Firefighters Drum Corps Inc., termination of the tenancy shall be considered by the Finance and Administration Committee, followed if necessary with appropriate written notice and any rent received by the City in advance shall be pro-rated and returned to the tenant; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the agreement in a form satisfactory to the City Solicitor.
12. That the City of Hamilton purchase a quarter page advertisement in the 1995 Fact and Information Book of the Hamilton-Wentworth Stroke Recovery Association at a cost of \$250. with funds to be provided from Account No. CH 56302 12000 (Advertising and Promotion Account - City Clerk).

13. That leave be granted to introduce the following Bill:

D-23 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Kevin C. Christenson
Acting Secretary
1995 March 21**

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Carol Alkema	I	Assistant Collections Clerk (13)	Treasury	New Position Council Approved December 13, 1994	\$31,511.48 to \$35,808.24	Jan. 30/95
Mr. Keith Anderson	I	Senior Property Officer/ Appraiser (24)	Real Estate	Replacing Mr. W. Moffatt - promoted, Nov. 07/94	\$43,233.84 to \$49,130.64	Feb. 20/95
Mr. Mark Antolich	I	Signs & Markings Specialist (11-C)	Traffic	Replacing Mr. J. Hamilton - promoted, Dec. 31/94	\$28,956.20 to \$31,989.88	Feb. 06/95
Mr. Richard Bowman	I	Captain (C-8)	Fire	Replacing Mr. D. Johnstone - retired, Oct. 28/93	\$61,750.44	Feb. 05/95

Appendix "A" referred
to in Section 5 of the
TENTH Report of the
Finance and Administration
Committee for 1995.

Prepared March 10/95

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Glen Foster	I	Attendant II (4-A)	City Clerk's	Replacing Ms. K. Kudrawec - retired, March 31/94	\$25,372.88 to \$27,579.24	Feb. 17/95
Mr. Patrick McCafferty	I	Captain (C-8)	Fire	Replacing Mr. S. Morelli - retired, Oct. 30/93	\$61,750.44	Feb. 05/95
Ms. Lynda Piper	I	Cemetery Support Clerk I (14)	Cemetery	Restructuring Council Approved December 13, 1994	\$32,575.92 to \$37,020.36	Jan. 02/95

Prepared March 10/95

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Peter Dellerba	Lead Hand/Truck Driver	Public Works	Terminated	13 years, 9 months	Feb. 16/95
Mr. Robert Jantzi	Forester III	Public Works	Terminated	12 years, 9 months	Feb. 15/95
Mr. Donald Keba	Project Manager	Property	Terminated	11 years, 9 months	Feb. 07/95
Mr. Libero Malisa	Concrete Finisher	Public Works	Terminated	7 years, 8 months	Feb. 16/95
Mr. Domenic Vecchioni	Labour/Truck Driver	Public Works	Terminated	10 years, 7 months	Feb. 16/95

Prepared March 10, 1995

Glossary of Terms

Terminated - long term disability

- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

URBAN/MUNICIPAL
CAY ON HBL AOS
M 21
1995

Minutes of the Special
City Council Meeting
Thursday, 1995 March 23
10:00 o'clock a.m.
Room 233, City Hall

URBAN MUNICIPAL

APR 13 1995

GOVERNMENT DOCUMENTS

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino,
Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Absent: Alderman M. Caplan - Family Illness

Mayor R. M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Planning and Development Committee, the Finance and Administration, and the Committee of the Whole be considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - NINTH REPORT

Official Plan Amendment No. 130 - Redesignation of lands

FINANCE AND ADMINISTRATION COMMITTEE - NINTH REPORT

Agreement to extend payment of tax arrears - 39 Mary St.
Development Charges

COMMITTEE OF THE WHOLE - THIRD REPORT

Mayor's Conference
Planning Department - User Fees
Planning Department - Staff
On Street Parking Permits
Architectural Division

Section 4 Re: On Street Parking Permits-Reserved

Recorded vote.

YEAS: Aldermen Kiss, McCulloch, Drury, Morelli, Wilson, Eisenberger. -6.

NAYS: Aldermen Copps, Jackson, Charters, Merling, Anderson, D'Amico. -6. **LOST.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Planning and Development Committee, the Finance and Administration Committee, and the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0. **CARRIED.**

BILLS

It was moved by Alderman Kiss and seconded by Alderman Copps that the Bills be read a first time.

C-23.

D-20, D-21, D-22.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that Council move into Committee of the Whole to consider the Bills with Mayor Morrow in the chair.

C-23.
D-20, D-21, D-22.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0. **CARRIED.**

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Bills, be adopted.

C-23.
D-20, D-21, D-22.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Bills be now read a third time, signed, sealed and enrolled as By-laws.

C-23.
D-20, D-21, D-22.

1995 March 23

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 11:40 o'clock a.m.

* * * * *

Taken as read and approved.

Mayor R.M. Morrow
Chairman, Committee of the Whole

J. J. Schatz, City Clerk
1995 March 23
JJS/dg

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **NINTH** Report for 1995 and respectfully recommends:

1. That approval be given to Official Plan Amendment No. 130 to redesignate lands within the Albion Falls Neighbourhood, bounded by Mud Street, the Hydro-Electric Corridor, the Red Hill Creek Expressway, and Arbour Road, from "Open Space" to "Residential", as shown on the attached Appendix "A".
2. That leave be granted to introduce the following Bill:

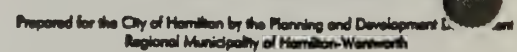
C-23 A By-Law to Adopt Official Plan Amendment No. 130 Respecting Lands Bounded by Arbour Road, Mud Street, The Hydro-Electric Corridor, and the Red Hill Creek Expressway within the Albion Falls Neighbourhood.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Stella Glover
Secretary**

1995 March 22



REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **NINTH** Report for 1995 and respectfully recommends:

1. (a) That Section 3 of the Second Report for 1995 of the Finance and Administration Committee and By-law 94-159, subsequently amended by By-Law 95-23, adopted by City Council on 1995 January 10, authorizing an agreement to extend the time open for the payment of tax arrears for property at 39 Mary Street upon specified terms, be amended to include the following:
 - (i) The required monthly realty tax arrears instalment payment, due 1995 March 22 be deferred for that one time period and defrayed over the approved repayment period ending on or before 1995 December 22.
- (b) That staff be authorized and directed to negotiate with the owners of 39 Mary Street, a suitable repayment schedule in order that all Realty and Business Current Year Levies and Tax Arrears are paid in full on or before the approved deadline of 1995 December 22; and,
- (c) That the City Solicitor be authorized to prepare the appropriate By-law to amend By-law 95-23 accordingly.
2. (a) That Development Charges be imposed on land under development or redevelopment within the geographical limits of the City of Hamilton; and,
- (b) That the appropriate By-law be enacted and continue in force and effect for a term not to exceed six months.
3. That leave be granted to introduce the following Bills:
 - (a) D-20 A By-law respecting Development Charges.
 - (b) D-21 A By-law to Authorize an Amending Agreement to an Extension Agreement for Payment of Realty Tax Arrears.

- (c) D-22 A By-law to Confirm the Proceedings of the Council of The Corporation
of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Kevin C. Christenson
Acting Secretary
1995 March 21**

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **THIRD** Report for 1995 and respectfully recommends:

1. That a loan in the amount of \$20,000. be made to the 1995 International Great Lakes/St. Lawrence Mayor's Conference to be hosted by the City of Hamilton from 1995 June 28-30.
2. That item numbers 17 to 29 respecting Planning Department User Fees in Appendix "A" referred to in Section 1 of the First Report of the Committee of the Whole adopted by City Council at its meeting held 1995 March 2, be referred back to the Planning and Development Committee.
3. (a) That the attached schedule of employees on Schedule "A" be offered the opportunity to transfer from the Region to the City of Hamilton payroll effective 1995 April 3 and their seniority date with the Region of Hamilton-Wentworth be recognized by the City of Hamilton, and that they retain their existing position titles and classifications; and,

(b) That the Director of Local Planning report directly to the Chief Administrative Officer on an interim basis.
4. That item number 13 respecting On-Street Parking Permits-Reserved in Appendix "A" referred to in Section 1 of the First Report of the Committee of the Whole adopted by City Council at its meeting held 1995 March 2 be amended by setting the 1995 fee at the 1994 level of \$12. LOST.

Recorded vote.

YEAS: Aldermen Kiss, McCulloch, Drury, Morelli, Wilson, Eisenberger. -6.

NAYS: Aldermen Copps, Jackson, Charters, Merling, Anderson, D'Amico. -6.
LOST.

5. (a) That work by the Architectural Division continue on and be charged to only those projects authorized prior to the 1995 Current Budget; and,
- (b) That a report be submitted to the Finance and Administration Committee by 1995 June 30 on the results of a review of all potential, alternate service levels for internal project management, including centralized/decentralized service delivery; and,
- (c) That the present method of Project Management for those building projects already underway be maintained, accepting the deletion from complement of the two current positions.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE**

J. J. Schatz, Secretary
1995 March 23

Local Planning Employees

ABRAHAM, Victor	Director of Local Planning
ANGELICI, Fab	Supervisor of Technical and Cartographic
BHARGAVA, Kewal	Junior Landscape Architect
BRAITHWAITE, Bill	Cartographic Technician
CHAPPLE, Nina	Heritage Planner I
DEPALO, Fran	Branch Secretary
DUBBELD, Joy	Heritage Clerk
EXTANCE, Keith	Planner I
FLOROFF, Caroline	Development Planner I
GILLESPIE, Ann	Heritage Researcher
GRAVINA, Joe	Planning Technician II
GRUPE, Vanessa	Planner
HICKEY-EVANS, Joanne	Manager, Policy Planning and Analysis
HOSTIUC, Nick	Senior Planning Technician
JANSSEN, Bill	Division Head, Policy and Neighbourhood Planning
KNOWLES, Zel	Senior Cartographic Technician
LAKATOS, Joe	Planner
LEE-MORRISON, Christine	Senior Planning Technician
LEGAULT, Derek	Cartographic Technician
LINSCHOTEN, Rosa	Cartographic Technician
MALLARD, Paul	Division Head, Development and Urban Design
MATUS, Vladimir	Manager, Urban Design
MIGNANO, Martha	Zoning Clerk
ROBICHAUD, Steve	Planner
SAKALA, John	Senior Landscape Architect
STARYK, Noella	Support Clerk
TANNER, Mary Lou	Planner I

Minutes of Hamilton City Council
Tuesday, 1995 March 28
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger,
Jackson, Merling, Ross.

Absent: Alderman M. Caplan - Bereavement
Alderman D. Drury - Regional Business
Alderman B. Charters - City Business
Alderman T. Anderson - Other Business
Alderman F. D'Amico - City Business

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

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Father Eneric Fuzy, St. Cyril and Methodius Slovak Roman Catholic Church led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented former Alderman Terry Cooke with a civic ring.

* * * * *

Mr. Don Goodridge, Director and Murray Quinn, Superintendent of Lower Schools for the Board of Education for the City of Hamilton advised City Council of the development of a safe school policy for the Board of Education for the City of Hamilton.

Mr. Jerry Ponikvar, Director of Education and Phillip DiFrancesco, Superintendent of Education for the Hamilton Wentworth Roman Catholic Separate School Board advised City Council of the development of a safe school policy for the Hamilton Wentworth Roman Catholic Separate School Board.

* * * * *

Mayor R. M. Morrow presented An Award of Distinction to Gil Simmons and Diane Dent.

* * * * *

A Certificate of Recognition was presented to the following citizens who have served on City Committees/Boards/Commissions

- (a) Angelo DiIanni - HECFI
- (b) Ron Bowman - Hamilton Region Conservation Authority
- (c) Margaret MacGillivray - Public Library Board
- (d) Anna Sbrissa - Public Library Board

PROCLAMATIONS

Mayor R. M. Morrow proclaimed the following:

- (a) "Father Sean O'Sullivan Month" - March 1995
- (b) "Cancer Month" - April, 1995

DECLARATION OF OFFICE

Mr. Ross Fair subscribed to the Declaration of Office before Mayor R. M. Morrow.

ADOPTION OF MINUTES

The minutes of the meeting held 1995 March 14 were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1995 March 14 from 1104729 Ontario Limited, Oakville Ontario for changes in zoning from "AA" (Agricultural) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District for Block "1", "AA" (Agricultural) District to "H" (Community Shopping and Commercial, etc.) District, modified for Block "2", and "G-3 (Public Parking Lots) District, modified, to "H" (Community Shopping and Commercial, etc.) District, modified for Block "3" for lands located at the rear of No. 141 Queenston Road, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Morelli that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Agostino in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Ross. -12.

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - EIGHTH REPORT

Section 1 Re: The Head-of-the-Lake Historical Society - Gore Park Fountain

It was moved by Alderman Jackson and seconded by Alderman Merling that Section 1 (d) of the Eighth Report of the Parks and Recreation Committee for 1995 be amended by deleting the words "subject to the approval of a permanent road closure of Hughson Street at this location" in the last line of the paragraph.

Recorded vote.

YEAS: Aldermen Kiss, Morelli, Agostino, Eisenberger, Jackson, Merling, Ross. -7.

NAYS: Mayor Morrow, Aldermen Agro, McCulloch, Copps, Wilson. -5. **CARRIED.**

Section 3 Re: Alcohol in Parks - Hamilton Regional Cancer Centre - Globe Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Ross. -11.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 4 Re: Alcohol in Parks - various function - Mohawk Sports Complex, Globe Park, Gage Park, Turner Farm Park, Sackville Stadium, James MacDonald School Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Ross. -11.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 6 Re: Alcohol in Parks - Portuguese Association of St. Michael the Archangel - Dundurn Park Pavilion

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Ross. -11.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 13 (a) Re: Beach Strip Adventure Day Camp Registration fee increase

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger Jackson, Merling, Ross. -11.

NAYS: Alderman Agostino. -1.

CARRIED.

Section 18 Re: Lease Agreement - Ontario Hydro

It was moved by Alderman Jackson and seconded by Alderman Merling that the Eighth Report of the Parks and Recreation Committee for 1995 be amended by deleting Section 18 and subsequently renumbering the remaining Sections of the report accordingly. **CARRIED.**

* * * * *

Section 20 Re: Scott-MacDonald Marine

It was moved by Alderman Agro and seconded by Alderman McCulloch that Section 20 of the Eighth Report of the Parks and Recreation Committee for 1995 be referred back for public input.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Copps, Agostino, Eisenberger.
-7.

NAYS: Aldermen Morelli, Jackson, Merling, Ross. -4.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - TENTH REPORT

Re: Demolition Permit

It was moved by Alderman Merling and seconded by Alderman Jackson that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to permit consideration of a recommendation respecting a Demolition Permit. **CARRIED.**

* * * * *

Section 10 Re: Demolition Permit - 55 Balfour Drive

It was moved by Alderman Merling and seconded by Alderman Jackson that the following be added as Section 10 of the TENTH Report for 1995 of the Planning and Development Committee:

10. That the Building Commissioner be authorized to issue a demolition permit for 55 Balfour Drive in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended. Subject to authorization from the Niagara Escarpment Commission.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - TENTH REPORT

Section 11 (b) Lease - Hamilton Firefighters Drum Corps Inc. - 775 Upper Wentworth St.

It was moved by Alderman Ross and seconded by Alderman Jackson:

That Section 11 (b) of the **TENTH** Report for 1995 of the Finance and Administration Committee be amended by adding after the word "of" in the first line the words "a maximum of" and further amended by adding after the word "commencing" in the first line, the words "on or after".

CARRIED.

ACTING MAYOR FOR THE MONTH OF APRIL, 1995

It was moved by Alderman Kiss and seconded by Alderman Morelli that Alderman H. Merling be appointed Acting Mayor for the month of April, 1995.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Ross. -12.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Morelli that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Ross. -12.

NAYS: -0.

CARRIED.

BILLS

It was moved by Alderman Kiss and seconded by Alderman Morelli that the following Bills be now read a first time:

C-24, C-25, C-26, C-27.
D-23.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Ross. -12.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Morelli that Council move into Committee of the Whole to consider the following Bills, with Alderman Agostino in the chair. (second reading).

C-24, C-25, C-26, C-27.
D-23.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Ross. -12.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Morelli that the Report of the Committee of the Whole on the following Bills, be adopted:

C-24, C-25, C-26, C-27.
D-23.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Ross. -12.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Morelli that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

C-24, C-25, C-26, C-27.
D-23.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Ross. -12.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:05 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz, City Clerk
1995 March 28

JJS/dg

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **EIGHTH** Report for 1995 and respectfully recommends:

1. (a) That it be confirmed with The Head-of-the-Lake Historical Society that due to serious financial constraints impacting on the City's Capital Budget program and in view of the Society's initial proposal to undertake the fountain re-construction project at no cost to the City, no financial support will be forthcoming for the fountain project from the City in 1995; and,
- (b) That based on the City's inability to participate financially, The Head-of-the-Lake Historical Society re-assess the viability of the project and advise Committee of its intentions; and,
- (c) That should the Society intend to proceed with this project, the Chief Administrative Officer and City Treasurer be authorized to represent this project with senior levels of Government to determine eligibility for funding; and,
- (d) That based on receiving confirmation of the Society's intent to proceed with this project, the original fountain site in Gore Park, as shown on the plan attached hereto as Appendix "A", be approved as the location for the reconstruction of the Gore Park Fountain; and, **AMENDED.**
- (e) That staff be authorized to assist The Head-of-the-Lake Historical Society with the design and installation of the fountain and the detailed plans for the modification of Gore Park to accommodate the new fountain.

Recorded vote.

YEAS: Aldermen Kiss, Morelli, Agostino, Eisenberger, Jackson, Merling, Ross. -7.

NAYS: Mayor Morrow, Aldermen Agro, McCulloch, Copps, Wilson. -5.
CARRIED.

2. (a) That approval, as required by Section 5(b) and Section 11 (a) and (c) of Parks By-law 77-221 be given to the following community associations:

- (i) Eleanor Community Council to barbecue, sell food and merchandise at the grand opening of their new playstructure at Eleanor Park on 1995 June 3; and,
- (ii) Victoria Park Skating Rink Committee to barbecue and sell food at the Victoria Park Skating Rink Grand Opening at Victoria Park on 1995 March 19; and,
- (iii) Lisgar Park Committee to barbecue, sell food and barbecue at a garage sale/barbecue at Lisgar Park on 1995 June 10; and,
- (iv) Berrisfield Community Council to barbecue and sell food at the Berrisfield Championship Picnic at Berrisfield Park on 1995 August 26; and,
- (v) Project Committee of Christ's Church Cathedral on behalf of the Churches of the Durand Neighbourhood to barbecue, sell food and merchandise for an ecumenical garage sale in Durand Park on 1995 May 6 (raindate 1995 May 13); and,
- (vi) Carter Park Neighbourhood Watch to barbecue and to use amplification equipment during the National Night-Out Festival at Carter Park on 1995 August 1; and,
- (vii) Quinndale Community Council to barbecue and sell food during Opening Day celebrations at Mount Lions Park on 1995 May 27; and,

(b) That approval for the above be subject to the following terms and conditions:

- (i) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton.

3. That approval, as required by Section 24 (1) and Section 11 (1) and Section 26 (3), of the Parks By-law No. 77-221, be given to the Hamilton Regional Cancer Centre, to sell food, alcoholic and non-alcoholic beverages at Globe Park on 1995 August 11, August 12 and August 13 and remain at the facility at Globe Park from Saturday 1995 August 12 at 9:00 o'clock a.m. until Sunday 1995 August 13 at 1:00 o'clock a.m. subject to the following terms and conditions:

- (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and bodily Injury and proof of \$5 million Liquor Licence Liability Insurance to be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,

- (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
- (c) That alcoholic beverages be served in a confined area of the Park upon receipt of approval of the Liquor Licence board; and,
- (d) That special duty officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
- (e) That the Concessionaire at Globe Park be contacted to make the necessary arrangements for the provision of food at that location; and,
- (f) That the applicant comply to the By-law No. 79-292 to Control Noise, and that the organization contact the Noise Control Officer in this regard; and,
- (g) That those organizers and their workers who are providing Alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program".

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Ross. -11.

NAYS: Alderman Jackson. -1.

CARRIED.

4. (a) That approval, as required by Section 24 (1) and Section 5 (b) and Section 11 (1) of the Parks By-law No. 77-221, be given to sell food and non-alcoholic and/or alcoholic beverages to the organizations as follows:

Food and Non-Alcoholic Beverages:

- (i) Calvin Christian School - Mohawk Sports Complex, Track Area - 1995 June 2
- (ii) Federal Express Baseball Tournament - Globe Park - 1995 July 15
- (iii) Epilepsy Hamilton & District - Gage Park - 1995 June 10
- (iv) Canadian Mental Health Association - Turner Farm Park - 1995 July 8
- (v) Ridge Raiders Drum & Bugle Corps - Sackville Stadium - 1995 June 24; and,

Food and Non-Alcoholic and Alcoholic Beverages:

- (i) Hamilton & District Slo-Pitch - Globe Park - 1995 June 16/17/18
 - (ii) Hamilton & District Slo-Pitch - Globe Park - 1995 August 25/26/27
 - (iii) Wentworth Adult Mixed Slo-Pitch - Globe Park - 1995 June 2/3/4
 - (iv) Hamilton Ladies Slo-Pitch Association - Globe Park - 1995 May 27/28
 - (v) Gourley Park Community - James MacDonald School Park - 1995 July 8 (rain: 1995 July 15)
 - (vi) Canusa Games Fund Raiser - Turner Farm Park - 1995 June 2/3/4/5; and,
- (b) That approval for the above at those locations and dates be subject to the following terms and conditions:
- (i) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury and proof of \$5 million Liquor Licence Liability Insurance to be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,
 - (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (iii) That alcoholic beverages be served in a confined area of the Park upon receipt of approval of the Liquor Licence board; and,
 - (iv) That special duty officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (v) That the Concessionaire at Globe Park be contacted to make the necessary arrangements for the provision of food at that location; and,
 - (vi) That those organizers and their workers who are providing Alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program".

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Ross. -11.
NAYS: Alderman Jackson. -1.

CARRIED.

5. (a) That permission be granted to I.M.G. Circus Corporation (Garden Brothers Circus) to use the Mountain Arena from 1995 April 14 to April 16, for seven performances subject to the following terms and conditions:
 - (i) The Licence Fee to be paid by the Promoter to the City shall be \$935. per performance; and,
 - (ii) The cost of casual labour, full time over time premium pay for 1995 April 14 (Good Friday), April 17 (Easter Monday) and SOCAN music tariffs are the responsibility of the Promoter; and,
 - (iii) The Promoter will furnish at its own expense, the complete personnel, publicity, advertising, stage settings, stage hands, spotlights, spotlight operators, production and presentation of performances. The Promoter also agrees to provide police protection as deemed necessary by the Director of Culture and Recreation and the Hamilton-Wentworth Chief of Police; and,
 - (iv) Arrangement and payment for animal waste dumpsters shall be the responsibility of the Promoter; and,
 - (v) The Promoter agrees not to do or permit any act which is contrary to any statute or regulation of any competent authority or whereby the policies of insurance of the City might be endangered or the right, including copyright, of any other person might be offended; and,
 - (vi) The Promoter agrees to indemnify the City against damages, claims or losses alleged or actually suffered by reason of such act, including actions for liable and slander; and,
 - (vii) The Promoter will provide proof of three million dollars of public liability insurance coverage, with the City named as additionally insured with cross liability endorsement and severability of interest; and,
 - (viii) The Promoter agrees to promptly repair all damages caused to the Mountain Arena building, grounds, chattels and equipment caused by spectators, participants, the Promoter, its agents or contractors, or to pay the full cost of same; and,
 - (ix) The Promoter, its agents and employees shall not arrive at the Mountain Arena earlier than 8:00 a.m. on April 13 and shall vacate the premises no later than noon on 1995 April 17; and,

- | | | | |
|-----|-----------------------|----------|-------------------------------------|
| (x) | Performance Schedule: | April 14 | 4:15 p.m. and 7:30 p.m. |
| | | April 15 | 11:00 a.m., 3:30 p.m. and 7:30 p.m. |
| | | April 16 | 1:00 p.m. and 4:30 p.m.; and, |

(b) That the City enter into a Licence Agreement with I.M.G. Circus Corp. (Garden Brothers Circus) satisfactory to the City Solicitor; and,

(c) That the Hamilton Society for the Prevention of Cruelty to Animals (H.S.P.C.A.) be advised of this event and be invited to attend in order to monitor the event activities.

6. (a) That permission be granted to the Portuguese Association of St. Michael the Archangel as required by Section 5 (b) and Section 24 (1) of the Parks By-law No. 77-221 to sell food and alcoholic beverages on the occasions of the Annual Festival of the Holy Spirit, 1995 June 9, 10 and 11, in the Dundurn Park Pavilion, subject to the following terms and conditions:

(i) That proof of \$5 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury and Liquor liability insurance to be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,

(ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,

(iii) That alcoholic beverages may be served in the confined area of the Pavilion 12:00 o'clock noon - 8:00 o'clock p.m. on June 9, 9:00 o'clock a.m. - 11:00 o'clock p.m. on June 10 and 9:00 o'clock a.m. - 10:00 o'clock p.m. June 11, upon receipt of approval of the Liquor Licence Board; and,

(iv) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,

(b) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team and;

(c) That those organizers and their workers who are providing Alcoholic Beverages be encourage to participate on a volunteer basis, in a "Server Intervention Training Program".

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Ross. -11.

NAYS: Alderman Jackson. -1.

CARRIED.

7.
 - (a) That the Director of Culture and Recreation be authorized to issue 4 (four) free golf passes, redeemable at either Chedoke or King's Forest golf courses during the 1995 Golf Season to the Hamilton-Wentworth Lung Association; and,
 - (b) That the Director of Culture and Recreation be directed to prepare a policy to grant the issuance of activity passes to community groups and associations.
8. That approval be given to the Director of Culture and Recreation to:
 - (a) deaccession the following artifacts that are currently housed in the Burlington Street storage facility and in the Dundurn Castle Stables:
 - (i) 1966.8.2.1-10: 10 wooden side chairs with leather upholstery, good condition, purchased in Montreal in 1966 for dining room before present set of chairs purchased; and,
 - (ii) 1965.58: wooden side board c.1865, poor condition, originally from Bermuda, donated in 1965 (stored in stables); and,
 - (iii) 1970: wooden drafting desk c.1870, poor condition, Waterdown area, in 1976 (stored in stables); and,
 - (iv) O.C. 703.1: wood framed leather sofa, c. 1875-1890, poor condition (stored in stables); and,
 - (v) 1970.144.1 a&b: ceramic stove, c.1880, fair condition (stables); and,
 - (vi) O.C. 469.1: oak chest, c.1650 (or probably 19th century repro.) very poor condition; and,
 - (vii-xiv) O.C.21.1, O.C.341, O.C.355.1, 1970.121.1, 1970.124.1, 1971.20.241, 1971.20.242, 1976.11.3: leather bound steamer trunks, late 19th-early 20th century, very poor condition; and,
 - (b) That the items be disposed of according to the Museum Policy and City of Hamilton Purchasing Policy; and,

- (c) That any funds realized from the possible sale of the above artifacts be deposited in the Freda Waldon Trust Fund for acquisition of artifacts for Dundurn Castle.
9. That permission be granted to the Director of Culture and Recreation to:
- (a) arrange with the Purchasing Division for the sale of the following previously deaccessioned items from the Dundurn Castle storage collection according to the City of Hamilton Purchasing Policy:
 - (i) staircase bannisters 1979.25.1a-b, 1979.25.a-c, 1979.25.3a-b, 1979.25.4ad; and,
 - (ii) railing sections (from old City Hall, representative elements on display at new City Hall) 1960.500.7a-g, 1960.500.9; and,
 - (iii) bed parts O.C.465.3a-h; and,
 - (iv) spinning wheels and parts O.C.453.1, O.C.452.1, O.C.451.1, O.C.455.2, O.C.445.30, O.C.445.27; and,
 - (v) gasoliers (Dundurn c.1899) O.C.668.1-.2; and,
 - (vi) feather wreaths 979.O.C.5.5-5.2; and,
 - (b) that any funds resulting in the sale of above be deposited in the Freda Waldon Trust Fund for acquisition of artifacts for Dundurn Castle.
10. (a) That the full responsibility, accountability and allocated budget for the operation, as attached hereto as Appendix "B", of the Public Works Department, Parks Division, Facilities Section be transferred to the Culture and Recreation Department under the direction of the Director of Culture and Recreation; and,
- (b) That the full responsibility, accountability and allocated budget for the City's playground equipment including tennis courts, bocci, basketball, spray pads and play structures be transferred from the Culture and Recreation Department to the Public Works Department, under the direction of the Director of Public Works; and,
- (c) That the Directors of Public Works and Culture and Recreation Departments be authorized to implement the necessary staff and budget transfers and to report on these matters by 1995 March 31.
11. That the Hamilton Basketball Association's registration fee be increased from \$50. to \$55. per youth for the 1995 - 1996 Season.

12. (a) That the Camp Kidaca camper weekly registration fee be increased from \$50. to \$60.; and,
- (b) That two additional Camp Counsellors be hired under contractual services to assist with programs and supervision.
13. (a) That the Beach Strip Adventure Day Camp registration fee be increased from \$30. to \$40. per child per week; and,
- (b) That the pick-up and drop-off bus service be eliminated for the 1995 summer season.

Recorded vote on 13 (a).

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger Jackson, Merling, Ross. -11.

NAYS: Alderman Agostino. -1.

CARRIED.

14. (a) That permission be granted to the Lawfield Minor Hockey Association Incorporated to install a plaque within Lawfield Arena in memorium of Danny Parr and many other volunteers who have passed away after contributing their time and effort to the Lawfield community; and,
- (b) That the location of this plaque be subject to the approval of the Manager, Property and Maintenance, Property Department and the Facility Supervisor, Lawfield Arena.
15. That the City renew the Licence Agreement, satisfactory to the City Solicitor, with the Hamilton Hornets Rugby Football Club to use the Clubhouse addition to the Field House, and the cement storage area in the Mohawk Sports Park for a one (1) year period with an option for the City to renew, for a further 2 five (5) year periods, subject to the following terms and conditions:
 - (a) That the Club will not apply for or hold a permanent liquor licence during the term of this licence agreement; and,
 - (b) That the Club obtain Special Occasion Permits to cover all consumption of alcoholic beverages associated with its activities and events, subject to Council approval; and,
 - (c) That the Club provide requests for Special Occasion Permits a minimum of 45 days in advance of the date(s); and,

- (d) That the Club pay an annual licence fee in the amount \$1,200. per year payable in monthly instalments, on the first day of the month, for the primary use of the Clubhouse; and,
 - (e) That the Club be required to pay an annual sum equal to 100% of the heating costs of the leased Clubhouse area for the period November to March inclusive; and,
 - (f) That the Club continue to pay for use of the sports fields according to established rates; and,
 - (g) That the Club maintain the licenced space at its own expense to the satisfaction of the Director of Culture and Recreation; and,
 - (h) That the City reserves the right to schedule other uses of the Clubhouse with due notice given to the Club; and,
 - (i) That proof of Commercial and General Liability, inclusive of Bodily Injury, Property Damage and All Risks Tenants Legal Liability, in the amount of \$5 million, to include but not limited to Liquor Liability, satisfactory to the City Solicitor, naming the City as co-insured be provided, or such higher amount as the City Solicitor, acting reasonably, may in future request.
16. That purchase orders be issued for the supply and delivery of Aggregates as and when required during 1995 by the Public Works Department in accordance with specifications issued by the Purchasing Division and the Vendors' tenders, and financed through Stock Materials Account No. CH56197 60999, as follows:

<u>Supplier</u>	<u>Material</u>	<u>Unit Pricing</u> (\$/tonne)
1. Lakeview Sand & Gravel	Granular 'A'	\$ 7.20
2. Taro Aggregates Ltd.	19mm Clear	\$ 8.85
3. Cayuga Materials & Construction	9.5mm Chips Washed	\$12.25
4. Taro Aggregates Ltd.	53mm Clear	\$ 8.85
5. Redland Quarries	#8 Dust Suppressed Grits	\$27.75
6. Redland Quarries	Athlete Field Lime	\$15.75
7. Lakeview Sand & Gravel	19mm Crusher Run	\$ 7.40
8. Redland Quarries	53mm Crusher Run	\$ 7.69
9. Lafarge Construction Materials	Rubble Stone	\$15.10
10. Lafarge Construction Materials	75-200mm Gabion Stone	\$15.10
11. Redland Quarries	9.5mm Screenings	\$ 7.85

* Note all prices are based upon delivery via tri-axle or tandem. GST and PST extra where applicable.

17. (a) That approval be given for the City of Hamilton to enter into a lease agreement in a form satisfactory to the City Solicitor, with Ontario Hydro, to lease the lands more particularly described as part of Lot 55, Concession 2, formerly in the Geographic Township of Ancaster, containing .777 hectares (1.92 acres) more or less, for an annual rental of \$2,100. plus GST, plus 50% of applicable taxes (estimated to be \$500.) to be charged to Account No. CH56398 62102 (General Park Maintenance) for ingress and egress for the purpose of parking motor vehicles only, for a term of twenty (20) years commencing on 1995 April 1; and,
- (b) That it be understood and agreed that part of the licensed lands are subject to an easement in favour of Trans Canada Pipelines as in Instrument No. 206418 H.L; and,
- (c) That it be understood and agreed that the lease be subject to the following terms and conditions:
 - (i) the City install a post and cable fence around the perimeter of the parking area and driveway; and,
 - (ii) that subject area is to be kept free of debris and snow is not be piled on the site or abutting Ontario Hydro lands; and,
 - (iii) the City shall comply with the Design Standards of Ontario Hydro and the Ontario Health & Safety Act R.S.O. 1980; and,
 - (iv) Ontario Hydro access must not be impeded at any time during and after the construction; and,
 - (v) any future landscaping or lighting on the subject lands must be approved in writing by Ontario Hydro prior to its installation; and,
 - (vi) the City shall be responsible to maintain the culvert under the driveway off Scenic Drive to the satisfaction of Ontario Hydro; and,
 - (vii) the City shall ensure that the height of any vehicle, load, or the object, including attachments, or people standing near Ontario Hydro's conductors will not exceed 4.115 metres (13.5 feet) above existing grade; and,
 - (viii) this agreement may be terminated by either party any time after the expiration of the initial term upon thirty (30) days notice in writing; and,
 - (ix) the City be responsible for the maintenance of the entire licensed area; and,

- (x) the City pay the sum of \$2,100. plus GST in advance on the first day of each and every year during the first 5 year period of the 20 year term and an amount to be determined by Ontario Hydro at or before the commencement of any subsequent 5 year period; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
- 18.
- (a) That in the event the Building Department determines that the current number of parking spaces is insufficient for the new building wing at Inch Park Arena, that parking be provided on the vacant City property located at the south-west corner of East 18th Street and Queensdale Avenue East and that the required zoning (G3) be applied; and,
 - (b) That in the event the Building Department determines that the current number of parking spaces is insufficient for the new building that the new service driveway for Parkdale Arena be allowed to be enlarged to accommodate additional parking of approximately 20 spaces; and,
 - (c) That any expansion of the parking lots within the Park be in consultation with the Parks Division of the Public Works Department, Culture and Recreation Department and Community Groups utilizing the Park.
- 19.
- (a) That Alderman F. Eisenberger, Alderman D. Wilson and Alderman B. Charters be appointed to serve on the Red Hill Valley Advisory Committee; and,
 - (b) That Werner Plessl (Chris Firth-Eagland, alternate) be appointed to serve as the municipal staff representative on the technical support team; and,
 - (c) That two members of City Council be appointed to serve on the World Biosphere International Centre Committee; and,
 - (d) That Bob Chrystian (Chris Firth-Eagland, alternate) be appointed to serve as the municipal staff representative on the Staff Technical Committee; and,
 - (e) That Bob Chrystian be appointed to serve as the City's staff representative on the Interviewing Committee for citizen members along with a staff representative from the Province and Conservation Authority.

20. (a) That the Director of Property be directed to extend the lease in its present form with the owner(s) of Scott-MacDonald Marine on a month to month basis until 1996 April 30; and,
- (b) That staff be directed to negotiate a long term lease at a fair market value with the owner(s) of Scott-MacDonald Marine with the provision of a pedestrian access through the property; and,
- (c) That if an agreeable lease agreement, suitable to the City cannot be reached, the present lease agreement be terminated on or before 1996 April 30; and,
- (d) That staff be directed to report back on the issue of the lease agreement negotiations and long term plans for the subject property in conjunction with the Waterfront Development Project. **REFERRED BACK FOR MORE PUBLIC INPUT.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Copps, Agostino, Eisenberger. -7.

NAYS: Aldermen Morelli, Jackson, Merling, Ross. -4. **CARRIED.**

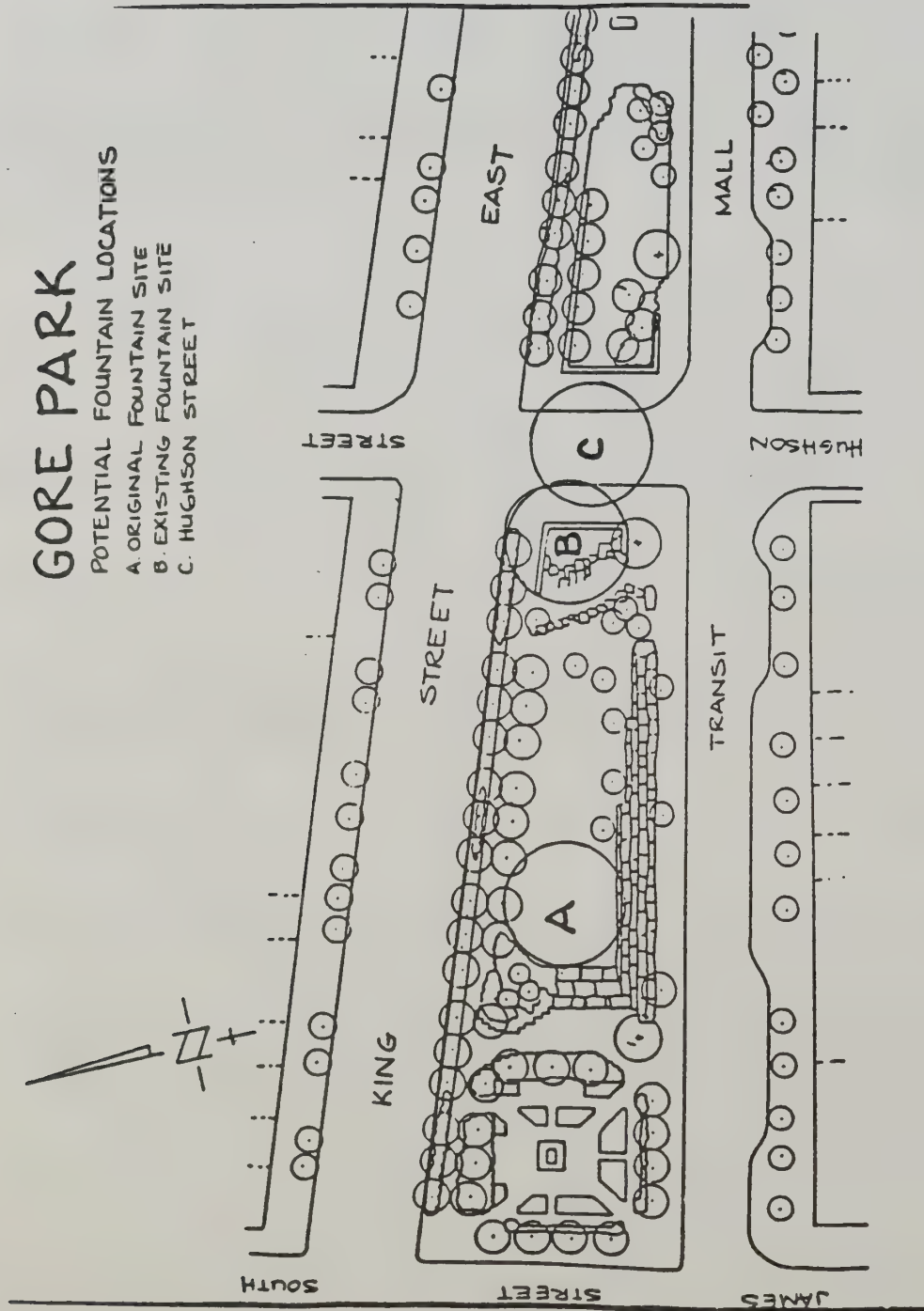
Respectfully Submitted,

**ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson
Secretary**

1995 March 21

Appendix "A" as referred to
in Section 1 of the Eighth
Report of the Parks and
Recreation Committee for 1995



Appendix "B" as referred to
in Section 10 of the Eighth
Report of the Parks and
Recreation Committee for 1995

Public Works, Parks Division, Facilities Section including and limited to:

- Chedoke Golf Course
- Kings Forest Golf Course
- Chedoke Winter Sports Park
- Churchill Lawnbowling
- Fernleigh Lawnbowling
- Roselawn Lawnbowling
- Mt. Hamilton Lawnbowling
- Ivor Wynne Stadium
- Brian Timmis Stadium

The following park locations and facilities will be retained by Public Works:

- Globe Park
- Victoria Park
- Sackville Hill Park
- Mohawk Sports Park

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TENTH** Report for 1995 and respectfully recommends:

1. That approval be given to Zoning Application ZAR-95-03, B.Y.M. Construction Limited (668674 Ontario Limited) and Bergamot Holdings Limited, owner, requesting a further modification to the "G" (Neighbourhood Shopping Centre, etc.) District regulations, to permit a ground (pylon) sign for business identification, for property located at No. 969 Upper Ottawa Street, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the "G" (Neighbourhood Shopping Centre, etc.) District regulations as contained in Section 13 of By-law No. 6593, as amended by By-law Nos. 70-259, 73-291, 75-178, 83-169 and 84-101, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (i) Notwithstanding Section 13, only one ground sign for shopping centre and/or business identification shall be permitted along Upper Ottawa Street only, subject to the following requirements:
 - (1) no sign shall be more than 7.4 m in height and every sign shall have a height of at least 1.8 m from the ground to the bottom of the sign;
 - (2) no sign shall be more than 15.0 m² in area;
 - (3) every sign shall be setback a minimum of 4.5 m from any lot line; and,
 - (4) no sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination.
 - (b) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-413c, and that the subject lands on Zoning District Map E-59A be notated S-413c.
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59A, for presentation to City Council.
 - (d) That this proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. That the Building Department be directed to implement the revised Barton Street Redevelopment Program as outlined on Appendice "B", "C", and "D" attached.
3. That Item 2.A. of the Fifth Report of the Planning and Development Committee to City Council on 1995 January 31, respecting Zoning Application ZAC-94-27 by Gerald Coleman and Robert Coleman, for lands at 71 Rymal Road West, be amended by renumbering (d),(e) and (f) to (h),(i) and (j) and inserting the following:
 - (a) (iii) a wall sign having a maximum area of 4m²;
 - (d) That notwithstanding the provisions of Section 18A (14a) and (14g) of Zoning By-law No. 6593, parking may be provided in the required front yard and not less than 15% of the gross area of the front yard shall be used for landscaped area.
 - (e) That notwithstanding the provisions of Section 18 (4)(iv) of Zoning By-law No. 6593, the accessory shed is permitted within the required side yard but shall not be closer than 1.5m to the side lot line.
 - (f) That notwithstanding the provisions of Section 18A (26) of Zoning By-law No. 6593, the access driveway must be at least 1.5m from the west property line.
 - (g) A landscape planting strip having a minimum width of 1.5 m shall be provided and maintained along the street line (northerly property line), except for any area used for vehicular access.
4. (a) That the City accept and execute the Minutes of Settlement attached as Appendix "E", once same has been executed by all other noted parties.
 - (b) That an Addendum to the Minutes of Settlement be entered into by Seven Towers Non-Profit Family Day Care Inc. (hereinafter called "Seven Towers") and the City whereby Seven Towers, at its sole expense, agrees to:
 - (i) close off the existing South approach with concrete curbing as shown on Appendix "F" attached, to the satisfaction of the Director of Public Works; and
 - (ii) remove the asphalt/concrete hard surfacing to the East of the concrete curbing to be installed as shown on Appendix "F" attached, and landscape same to the satisfaction of the Director of Public Works.
 - (c) That the City revise its current Lease dated the 14th day of December 1993 with Seven Towers to reflect the Minutes of Settlement and Addendum.

- (d) That upon completion of (a), (b), and (c) above, City staff report to the Ontario Municipal Board on the position the City has taken on this matter.
- (e) That the works required as a result of the Minutes of Settlement and Addendum be approved without a Site Plan Control Application.
- 5. (a) That the City of Hamilton terminate the Lease Agreement at 22 Tiffany Street with P. Italiano effective 1995 April 1; and,
(b) That the City Solicitor be authorized and directed to discharge this Lease Agreement.
- 6. (a) That an Agreement by Owner to Accept Compensation, executed by Fedele Intini, on 1995 March 8 and to be completed on or before 1995 March 31, for the lands and buildings expropriated on 1991 April 9, having a frontage of 7.62 metres (25 feet), along the southerly limit of Brant Street, comprising an area of 185.8 square metres (2,000 square feet), more particularly described as 217 Brant Street, Hamilton, be approved and completed. This settlement includes final compensation at \$144,645.78; including payment of professional fees and disbursements at \$16,589.56 (\$5,078 to be paid directly to Geographic Realty Appraisal Ltd.), plus 6% interest on unpaid compensation from 1991 April 9 to the date of closing (\$75,586.79 of the said final compensation has already been paid to the former owner on 1992 May 7) and costs for this settlement be charged to Account No. CF 5590 308750001 (Alpha Enclave Clearance Program); and,
(b) That it is understood and agreed that in addition the City agrees to pay Fedele Intini's reasonable additional legal fees incurred after 1994 January 26, provided the account for legal services, the hourly rates and hours incurred are satisfactory to the City Solicitor, failing agreement the City agrees to pay the amount of such fee assessed by an assessment officer of the Ontario Court of Justice; and,
(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents for the settlement.
- 7. That the City of Hamilton accept the sum of \$3,750.00 as cash payment in lieu of the 5% land dedication in connection with "Claudette Gardens - Phase 7", Hamilton, this being the cash payment required under Section 51 of the Planning Act.
- 8. That City Initiative 94-G for a general text amendment to Zoning By-law No. 6593 to add billiard rooms as a permitted use in the "H" (Community Shopping and Commercial, etc.) District be denied on the following basis:

That the existing "H" (Community Shopping and Commercial, etc.) District regulations are deemed to be appropriate.

9. That leave be granted to introduce the following Bills:

- (a) C-24 A By-law to Establish Site Plan Control Respecting Land Located at 71 Rymal Road West.
- (b) C-25 A By-law to Amend Zoning By-Law No. 6593 Respecting Land Located at 71 Rymal Road West.
- (c) C-26 A By-law to Amend Zoning By-Law No. 6593 Respecting Lands Located at the Rear of 144 Limeridge Road East.
- (d) C-27 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at the South-East corner of Stone Church Road East and Diconzo Drive.

10. That the Building Commissioner be authorized to issue a demolition permit for 55 Balfour Drive in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended. Subject to authorization from the Niagara Escarpment Commission. **ADDED.**

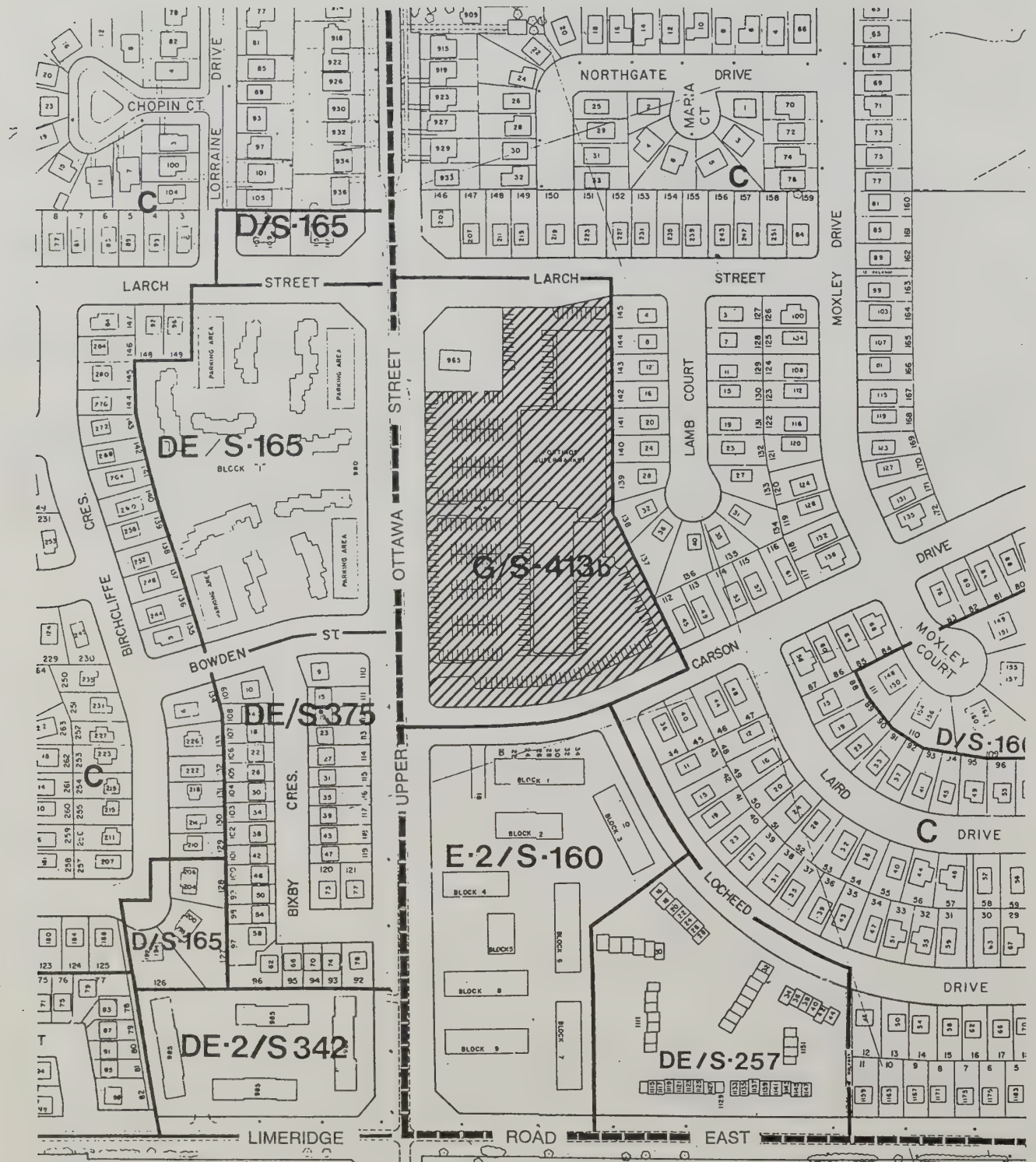
RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Stella Glover
Secretary**

1995 March 22

1995 March 28



Legend



Site of the Application

ZAR-95-03

APPENDIX A

BARTON STREET REVITALIZATION GRANTS

- Grants will be made available to all those who borrow from the Commercial Loan Programme to fund rehabilitation of a building within the Barton Street B.I.A.
- Both secured and unsecured loans may be held concurrently.
- Grant instalments will be advanced by the direct paying down of principal in a Commercial Loan Program borrowers' loan account by the Treasurer.
- All three year grant instalments will be segregated into a separate treasury account at the time of grant approval for eventual pay out.
- All grants and unsecured loans will be funded only from available provincial funds.
- Loans will be for a ten (10) year term at an interest rate of one half of prime at the time of loan finalization.

Secured Borrowers

- The grants will be made available to secured borrowers in three (3) instalments at the rate of:

15% of the loan amount at the time of construction completion as approved by a Building Inspector authorized by the City, and;

15% of the original loan amount on the anniversary date of the first advance, and;

20% on the anniversary date of the second advance.
- The maximum grant on a loan for a single business address is not to exceed \$20,000. and all instalments are to reflect the 15:15:20 ratio.
- The maximum grant for a multiple business address or to a single owner of more than one building within the B.I.A. (with more than one resultant business address) is not to exceed \$30,000. and the instalments are to reflect the 15:15:20 ratio.

MURAL PROJECT

- The City will provide up to \$20,000. yearly from available provincial funds to the Barton Street B.I.A. for mural projects within the B.I.A. Guidelines for the murals will be established by the City's Art Co-ordinator and final approval will rest with the B.I.A., the Arts Advisory Sub-Committee and the Task Force of the Barton Street Revitalization/Cultural Industry Strategy.
- Co-ordination will be the responsibility of the B.I.A.
- Costs for co-ordination, wages and materials are to be submitted for approval along with the art itself, and will be advanced monthly on a per cent of completion basis.

STREET FESTIVAL

- The City will provide up to \$40,000. yearly from available provincial funds to the Barton Street B.I.A. if it should decide to hold a street festival.
- Co-ordination of the festival will be solely the responsibility of the B.I.A. An appropriate portion of the funds will be made available in advance, final reimbursement of the B.I.A. will be made once a statement of account for the festival is presented.

STREET ENHANCEMENT

- Up to one third or \$330,000. of the available Provincial funding of \$1-million will be utilized for street enhancement projects.
- Street light fixtures, alley lighting, banners, and island plantings are expected to be installed.
- As has been the case in other B.I.A.'s, the Public Works Department will both co-ordinate and implement many of the individual work projects.
- Funds will be advanced to Public Works or the B.I.A. as is appropriate.
- Public Works is doing a separate design study of the Barton B.I.A. streetscape in the Summer of 1995, which will be used to integrate these projects with any done in the future.

ONTARIO MUNICIPAL BOARD

OMB FILE NO. R940341 and 0940219

IN THE MATTER OF Section 22(1) of the Planning Act (R.S.O. 1990, c.p. 13)

AND IN THE MATTER OF a referral to this Board by the Regional Municipality of Hamilton-Wentworth on a request by John Dorsay et al for consideration of an application for an amendment to the Official Plan for the City of Hamilton to redesignate lands located at No. 44 Greendale Drive, in the City of Hamilton to permit an administrative office for a child care agency in conjunction with an existing day nursery and to reduce the maximum number of children to be accommodated in the existing day nursery from 200 to 104.

OMB File No.: 0940219

-and-

IN THE MATTER OF Section 34(19) of the Planning Act (R.S.O. 1990, c.P. 13)

AND IN THE MATTER OF an appeal to this Board by John Dorsay et al for an order repealing Zoning By-law No. 94-134 of the City of Hamilton which zoning by-law would permit an administrative office for a child care agency in conjunction with an existing day nursery located at 44 Greendale Drive, in the City of Hamilton, and would also reduce the maximum number of children to be accommodated in the existing day nursery from 200 to 104.

OMB File No. R940341

MINUTES OF SETTLEMENT

WHEREAS Seven Towers Non-Profit Family Day Care Inc. ("Seven Towers") is the owner-operator of a day nursery at premises known as 44 Greendale Drive in the City of Hamilton; and Seven Towers has made applications for an Official Plan amendment and for an amending zoning by-law so that an administrative office could be constructed at the premises for use in conjunction with the existing day nursery;

AND WHEREAS John Dorsay and others have objected to such applications;

AND WHEREAS a settlement has been arrived at by all necessary parties, and these minutes are intended to record same;

NOW THEREFORE the undersigned mutually agree as follows:

1. Seven Towers shall amend its lease with the City of Hamilton to require that:
 - (a) the driveway upon the premises of Seven Towers shall be re-routed, through the parking area forming part of the premises, in order that no one is able to drive straight through from Garth Street to Greendale Drive in accordance with Appendix "A" attached; and,
 - (b) signs shall be posted to indicate that the driveway is private property.
2. Seven Towers agrees that the existing trees on the premises will be preserved and maintained and will not be removed as part of the construction of the administrative office facilities.
3. Each of the objectors listed herein shall submit to the Ontario Municipal Board, through Mr. Art Zuidema, acting as counsel for the City of Hamilton, a letter notifying the Board of the withdrawal of their objections.

DATED at Hamilton, Ontario, this 26th day of January, 1995.

**SEVEN TOWERS NON-PROFIT
FAMILY DAY CARE INC.**

Per:

Marni Flaherty, C.E.O.

John Dorsay

Jan Park Dorsay

Florence Mortensen

Robin Mortensen

**THE CORPORATION OF THE
CITY OF HAMILTON**

Per:

Mayor - Robert M. Morrow

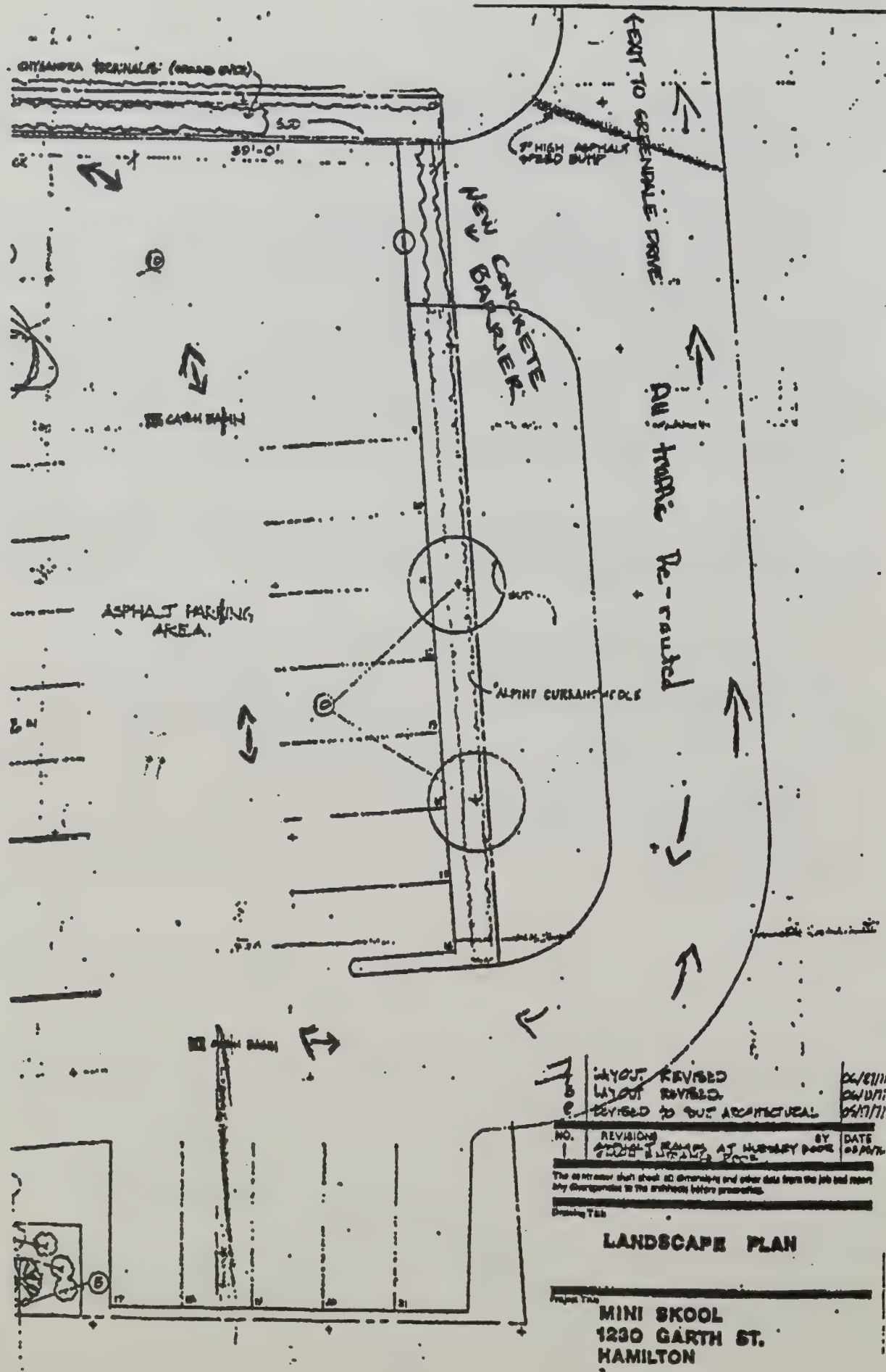
City Clerk - Joseph J. Schatz

William H. Edwards

Betty Edwards

Keith Sampson

Lisa Sampson





REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TENTH** Report for 1995 and respectfully recommends:

1. (a) That the City resolve Ontario Court (General Division) Action No. 6594/94 by the payment to the Plaintiff, Mary Anne Lapceovich, of the sum of \$3,291.18 inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiff be required to issue a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 6594/94 be dismissed without costs.
2. (a) That the City Offer to Settle Ontario Court (General Division) Action No. 19876/90 on the following terms:
 - (i) That if this Offer to Settle is accepted within sixty (60) days of its date the Plaintiff will accept from the Defendants \$32,000. inclusive of all claims for damages, interest, costs and disbursements in full settlement of the claim; and,
 - (ii) That if this Offer to Settle is accepted after sixty (60) days from its date the Plaintiffs will receive from the Defendants:
 - (1) General damages in the amount of \$7,500.; and,
 - (2) Special damages in the amount of \$11,776.40; and,
 - (3) Pre-Judgment interest on the above amounts in accordance with the provisions of the Courts of Justice Act; and,
 - (4) Their Party/Party costs to the date of the Offer and their Solicitor/Client costs from the date of the Offer to the date of acceptance, such costs to be agreed between the parties or assessed; and,
 - (5) Their taxable disbursements of this action, such disbursements to be agreed between the parties or assessed; and,

- (iii) This Offer remains open for acceptance until the commencement of trial, or until withdrawn whichever first occurs; and,
- (b) That the City decline the Defendants offer to settle this action for \$20,000. inclusive of all claims for damages, interest and costs.
- 3.
 - (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 7677/94 by the payment to the Plaintiff, Ellen Reinke, of the sum of \$3,000. inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 7677/94 be dismissed without costs.
- 4. That approval be given to the actions taken by the City Clerk in authorizing the Women's Centre of Hamilton-Wentworth to use the City Hall forecourt and the property located on the far north/east side (closest to the Unified Family Court), for a brief demonstration in support of a local woman in her quest to protest a court order.
- 5. That the listing of Appointments To and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1995 March 10, attached herewith and marked Appendix "A", be approved.
- 6. That a purchase order be issued to Turf Care Products, Newmarket, in the amount of \$135,701., including all applicable taxes and trade-in, for the replacement of two (2) Units #0102, 9527 for Fleet Services, being the lowest acceptable of two tenders received in accordance with specifications issued by Purchasing and Vendor's Tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.
- 7. That an additional upset limit of \$20,000. for consulting services for the Development Charges Study be allocated from Account CH55406-24101 Fees-Consultants as provided for in the draft 1995 Current Budget.
- 8.
 - (a) That the City of Hamilton annually participate in the Volunteer Centre of Hamilton and District's Indoor Golf Tournament; and,
 - (b) That the City of Hamilton annually budget the fee, presently \$150. to enter a Corporate Team to participate in the event; and,
 - (c) That the City of Hamilton recognize its employees who had perfect attendance records throughout the previous year by randomly selecting four people to form the Corporate Team and to represent the City of Hamilton at this event.

9. (a) That in keeping with a zero percent increase, that an amount of \$2,625.80 be approved for the Hamilton Corporate Challenge to be used towards the cost of entering and sponsoring two (2) teams of Civic employees taking part in the Hamilton Corporate Challenge being organized by the Hamilton and District Chamber of Commerce on Sunday, 1995 June 11 at Christie Conservation Area; and,

(b) That funding for this expenditure be financed from the Unclassified Account.
10. (a) That a purchase order be issued to Bestco Construction Corporation in the amount of \$104,776.54, inclusive of G.S.T. (\$6,854.54), for the rehabilitation of the building envelope at Sir Allan MacNab Recreation Centre being the lowest of seven tenders received in accordance with specifications (REF: C14-1-95) issued by the Manager of Purchasing; and,

(b) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor.
11. (a) That the City of Hamilton enter into a lease with the Hamilton Firefighters Drum Corps Inc. respecting the use of the City owned building at 775 Upper Wentworth Street; and,

(b) That the term be for a period of a maximum of four (4) months commencing on or after 1995 April 1 and expiring 1995 July 31, at a rental rate of \$200. per month due on the first (1st) day of each month and proceeds be credited to Account No. CH 44104 31106 (Rental Civic Property - Civic Properties Rented); and,

AMENDED.

(c) That if the City receives any complaints about noise emanating from the Upper Wentworth Street Composite Building as a result of the occupancy by the Hamilton Firefighters Drum Corps Inc., termination of the tenancy shall be considered by the Finance and Administration Committee, followed if necessary with appropriate written notice and any rent received by the City in advance shall be pro-rated and returned to the tenant; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the agreement in a form satisfactory to the City Solicitor.
12. That the City of Hamilton purchase a quarter page advertisement in the 1995 Fact and Information Book of the Hamilton-Wentworth Stroke Recovery Association at a cost of \$250. with funds to be provided from Account No. CH 56302 12000 (Advertising and Promotion Account - City Clerk).

13. That leave be granted to introduce the following Bill:

D-23 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Kevin C. Christenson
Acting Secretary
1995 March 21**

Appendix "A" referred
to in Section 5 of the
TENTH Report of the
Finance and Administration
Committee for 1995.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Carol Alkema	I	Assistant Collections Clerk (13)	Treasury	New Position Council Approved December 13, 1994	\$31,511.48 to \$35,808.24	Jan. 30/95
Mr. Keith Anderson	I	Senior Property Officer/ Appraiser (24)	Real Estate	Replacing Mr. W. Moffatt - promoted, Nov. 07/94	\$43,233.84 to \$49,130.64	Feb. 20/95
Mr. Mark Antolich	I	Signs & Markings Specialist (11-C)	Traffic	Replacing Mr. J. Hamilton - promoted, Dec. 31/94	\$28,956.20 to \$31,989.88	Feb. 06/95
Mr. Richard Bowman	I	Captain (C-8)	Fire	Replacing Mr. D. Johnstone - retired, Oct. 28/93	\$61,750.44	Feb. 05/95

Prepared March 10/95

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Glen Foster	I	Attendant II (4-A)	City Clerk's	Replacing Ms. K. Kudrawec - retired, March 31/94	\$25,372.88 to \$27,579.24	Feb. 17/95
Mr. Patrick McCafferty	I	Captain (C-8)	Fire	Replacing Mr. S. Morelli - retired, Oct. 30/93	\$61,750.44	Feb. 05/95
Ms. Lynda Piper	I	Cemetery Support Clerk I (14)	Cemetery	Restructuring Council Approved December 13, 1994	\$32,575.92 to \$37,020.36	Jan. 02/95

Prepared March 10/95

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Peter Dellerba	Lead Hand/Truck Driver	Public Works	Terminated	13 years, 9 months	Feb. 16/95
Mr. Robert Jantzi	Forester III	Public Works	Terminated	12 years, 9 months	Feb. 15/95
Mr. Donald Keba	Project Manager	Property	Terminated	11 years, 9 months	Feb. 07/95
Mr. Libero Malisa	Concrete Finisher	Public Works	Terminated	7 years, 8 months	Feb. 16/95
Mr. Domenic Vecchioni	Labour/Truck Driver	Public Works	Terminated	10 years, 7 months	Feb. 16/95

Prepared March 10, 1995

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

URBAN/MUNICIPAL

CAY ON HBL AOS

M21
1995

minutes of the Special
City Council Meeting
Thursday, 1995 April 6
1:00 o'clock p.m.
Room 233, City Hall

URBAN MUNICIPAL

APR 21 1995

GOVERNMENT DOCUMENTS

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Copps, Wilson,
Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico.

Absent: Alderman D. Ross - personal business

Mayor R. M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Agro and seconded by Alderman Anderson that the Report of the Committee of the Whole on the Report of the Committee of the Whole be considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Morelli, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico. -13.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - FOURTH REPORT

1995 Revenue and Expenditure Estimates
1995 Grant Allocations

Section 1 Re: 1995 Revenue and Expenditure Estimates

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico. - 11

NAYS: Aldermen Kiss, Caplan. - 2

CARRIED.

* * * * *

It was moved by Alderman Agro and seconded by Alderman Anderson that the Report of the Committee of the Whole on the Report of the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Morelli, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico. -13.

NAYS: -0. **CARRIED.**

BILL E-3

It was moved by Alderman Agro and seconded by Alderman Anderson that Bill E-3 be read a first time.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Morelli, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico. -13.

NAYS: -0. **CARRIED.**

* * * * *

It was moved by Alderman Agro and seconded by Alderman Anderson that Council move into Committee of the Whole to consider Bill E-3 with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Morelli, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico. -13.

NAYS: -0. **CARRIED.**

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Agro and seconded by Alderman Anderson that the Report of the Committee of the Whole on Bill E-3, be adopted.

1995 April 6

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Morelli, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico. -13.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Agro and seconded by Alderman Anderson that Bill E-3 be now read a third time, signed, sealed and enrolled as a By-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Morelli, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico. -13.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 6:05 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R.M. Morrow
Chairman, Committee of the Whole

J. J. Schatz, City Clerk
1995 April 6
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FOURTH** Report for 1995 and respectfully recommends:

1. (a) That the 1995 Revenue and Expenditure estimates incorporating the changes referred to in Appendices "A", "B" and "C" for the City of Hamilton in the amount of \$165,106,610 representing a 0.9% increase in the tax (mill) rate, or an increase of \$4.61 in taxes for a representative assessed household, be approved.
- (b) That the necessary by-law(s) to establish the 1995 mill rate for the City of Hamilton, on the basis of the foregoing revenue and expenditure estimates, be prepared and forwarded to City Council for appropriate readings.
- (c) That \$250,000 which was deleted from the Current Budget to reach the total amount indicated in subsection (a) be deleted from the individual departmental budgets during a line by line budget review to be undertaken by the Standing Committees of the budgets within their jurisdiction.

Recorded vote:

YEAS: Mayor Morrow, Aldermen Agro, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico. - 11

NAYS: Aldermen Kiss, Caplan. - 2

CARRIED.

2. (a) That the 1995 grant allocation as set out in Appendix "D" be approved in the total amount of \$263,775 and further that the Capital Grants in the amount of \$34,900 be financed from the Reserve for Contingency Account Centre No. CH 00115.
- (b) That the surplus in the grants budget for 1995 in the amount of \$42,220 be applied to the 1995 Current Budget increase in order to further lower the increase.

3. That leave be granted to introduce the following Bill:

E-3: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE**

J. J. Schatz, Secretary
1995 April 6

The Corporation of the City of Hamilton

1995 Service/Program Reduction Packages

Approved by Committee of the Whole and City Council

April 6, 1995

<u>No.</u>	<u>Department</u>	<u>No.</u>	<u>Description</u>	<u>Effective</u>	<u>Annualized</u>	<u>F.T.E.s</u>	<u>Vacant</u> <u>(V)</u>
1	Building	BLDG1	Reduction to Staff	\$55,690	\$46,090	1.2	V
2	Traffic	TRFC1	Reduction to Seasonal Staff	\$6,630	\$6,630	0.2	V
3	Treasury	TRSY1	Point-of-Sale System	\$16,210	\$32,410	1.0	F
4	Public Works	PWDS1	Adjustment of .5% of Streets Program to reflect additional roads from New Subdivisions	\$59,440	\$59,440	0.0	
5	Public Works	PWDP2	Eliminate weed spray—outside contract	\$31,420	\$31,420	0.0	
6	Public Works	PWDS3	Reduce ability to react to special requests	\$36,600	\$36,600	0.5	
7	Public Works	PWDS4	Reduce ability to trim new roadway trees	\$11,890	\$11,890	0.0	
8	Public Works	PWDS5	Reduce maintenance – City Properties	\$17,200	\$17,200	0.0	
9	Public Works	PWDP6	Reduce general Horticultural maintenance	\$10,800	\$10,800	0.0	
10	Public Works	PWDP7	Reduction to Staff	\$20,420	\$20,420	0.5	V
11	Public Works	PWDP8	Eliminate Adv.&Promotion/Reduce training	\$4,260	\$4,260	0.0	
12	Public Works	PWDP9	Reduce maintenance of Greenhouse Operation	\$4,100	\$4,100	0.0	
13	Public Works	PWDP10	Reduce Temporary Staff	\$8,230	\$8,230	0.0	
14	Public Works	PWDS11	Reduce small tools—District Yard maintenance	\$30,000	\$30,000	0.0	
				\$234,360	\$234,360	1.0	
15	Library	LBRY1	Funding adj—reduced \$300,000 by Council	\$377,680	\$299,930	1.5	F
	Sub—Total Packages			\$690,570	\$619,420	4.9	
16	Building	BLDG2	Building/Planning—incr. \$99,470 by Council	\$200,000	\$200,000	1.0	V
17	HECFI	HECF1	Deletion of Provision for Capital Reserve	\$62,600	\$62,600		
	Total Packages			\$953,170	\$882,020	5.9	
	07—Apr—95						

The Corporation of the City of Hamilton
1995 Current Budget
Corporate Solutions Approved By
Committee of the Whole and City Council
April 6, 1995

	<u>Description</u>	<u>Package Amount</u>
1	Draw on Tax Stabilization Reserve	\$1,000,000
2	Development Charges used on Debt	\$600,000
3	Seniors Tax Credit / Loan Program <i>\$850,000 – Referred to Seniors Council and all other seniors groups for consideration as part of the 1996 Current Budget.</i>	\$0
4	December 25 – December 31 City Hall Shutdown*	\$50,000
	TOTAL	\$1,650,000

- * Closure of City Hall Between December 25 – December 31.
 An operational plan including any necessary public notification, etc.
 is to be prepared by June 30, 1995

The Corporation of the City of Hamilton

1995 Expansion Packages

**Approved by the Committee of the Whole and City Council
April 6, 1995**

Recommended by Council

<u>Package No.</u>	<u>Description</u>	<u>Package Amount</u>
1	Garbage Collection – Stat. Holidays (\$50,000)	Tabled
2	MUM Show Part 2 (Net)	\$100,000
3	Hosting Annual Slo–Pitch Baseball Tournament	\$7,600
4	Streetscaping – Floral Traffic Islands	\$123,000
5	Open Space Maintenance	\$20,000
6	Weed Spray In Street Gutters	\$35,000
7	Floriculture Maintenance – St. Mark's	\$8,650
8	Carp Barrier Access – Road Mtnc.	\$8,000
9	Traffic Island Planting (Westdale B.I.A.)	\$15,000
10	Repair/Replace Mountable Curbs	\$15,800
Total Approved Expansion Packages		<u>\$333,050</u>

Not Recommended by Council

<u>Package No.</u>	<u>Description</u>	<u>Package Amount</u>
1	Leaf/Yard Waste Management	\$140,000
2	Turner Farm Baseball – Ball Diamond Maintenance	\$30,000
3	T.B. McQueston Park Maintenance	\$23,000
4	Promotion Displays – Special Events	\$10,000
5	Traffic Island Planting (Britannia/Cannon)	\$18,200
6	Traffic Island Beautification (Up.Sherman&Crockett)	\$30,940
7	Rail Trail Maintenance	\$8,000
8	Revised Support for Status of Women Committee	\$13,720
Total Not Approved Expansion Packages		<u>\$273,860</u>

The Corporation of the City of Hamilton

1995 GENERAL GRANT SUBMISSIONS

APPENDIX D

ITEM NO. (1)	NAME OF ORGANIZATION (2)	1995 GRANT AMOUNT		1994 GRANT (5)	FINANCIAL STATEMENTS (6)
		RECOMMENDED (3)	REQUESTED (4)		
1	Academy of Classical Music and Classical Dances of India – operating costs	\$0 Pending Receipt of Financial Statements	\$20,000		No Financials
2	The Ad & Sales Club of Hamilton – Citizen of the Year Award Night	\$500	\$1,000	\$500	
3	Bay Area Jazz Society – operating costs of summer concert	\$800 Pending Receipt of Financial Statements	\$1,500	\$800	Incomplete
4	BIA Christmas Lighting Program – operating costs	\$6,000	\$6,000	\$6,000	
5	Cdn Polish Congress Hamilton Dist. – one time purchase office equip.	\$0	\$7,000		Incomplete
6	Canadian Union of Public Employees, Local 5 – to complete publication of Local's history	\$2,000 Pending Receipt of Financial Statements	\$2,000		No Financials
7	Catholic Family Services of Hamilton–Wentworth – summer senior's special needs leisure programs	\$500 Pending Receipt of Financial Statements	\$1,000	\$500	No Financials
8	Communita Racalmutese Maria SS Del Monte Ontario Inc. – annual festival	\$4,000 Pending Receipt of Financial Statements	\$20,000	\$2,500	No Financials
9	Conqueror II Drum & Bugle Corps – operating costs	\$6,000	\$9,500	\$6,000	
10	Creative Arts Inc. – Buskingfest – a community festival – Streetfest – a series of community festivals	\$0 \$4,000	\$30,000 \$20,000		
11	Cycle Hamilton – operating costs for the race	\$5,000	\$7,500	\$5,000	

1995 April 6
The Corporation of the City of Hamilton
1995 GENERAL GRANT SUBMISSIONS

APPENDIX D

ITEM NO. (1)	NAME OF ORGANIZATION (2)	1995 GRANT AMOUNT		1994 GRANT (5)	FINANCIAL STATEMENTS (6)
		RECOMMENDED (3)	REQUESTED (4)		
12	Dictionary of Hamilton Biography – operating costs for producing Volume IV	\$4,000	\$12,000	\$4,000	
13	Greek Canadian Orthodox Church – op.costs to participate in 4 festivals	\$2,800	\$10,000	\$2,800	Incomplete
14	Hamilton Academy of Medicine – one time request/assist with the publication of book	\$0	\$9,180		
15	Hamilton All Star Jazz Band – operating costs	\$4,000	\$4,000	\$4,000	
16	Hamilton Artists Inc. – operating costs	\$7,000	\$10,000	\$7,000	
17	Hamilton Association for Community Living – summer recreation program	\$0	\$38,681	\$33,922	
18	Hamilton Ballet Youth Ensemble – operating costs	\$6,000	\$20,000		
19	Hamilton Cardinals Baseball Club – operating costs	\$2,400	\$5,000	\$2,400	
20	Hamilton Children's Choir – operating costs	\$700	\$1,500	\$700	
21	Hamilton Concert Band – operating costs	\$3,000	\$3,000	\$2,000	
22	Hamilton & District Aquarium Society – one time capital/equipment – operating costs	\$0	\$5,600		
23	Hamilton & District Baseball Association – operating costs	\$4,000	\$5,000	\$4,000	No Financials
24	Hamilton & District Labour Council – costs of annual parade & picnic	\$1,000	\$1,000	\$1,000	No Financials

Pending Receipt of Financial Statements

Pending Receipt of Financial Statements

Pending Receipt of Financial Statements

The Corporation of the City of Hamilton

1995 GENERAL GRANT SUBMISSIONS

APPENDIX D

ITEM NO. (1)	NAME OF ORGANIZATION (2)	1995 GRANT AMOUNT		1994 GRANT (5)	FINANCIAL STATEMENTS (6)
		RECOMMENDED (3)	REQUESTED (4)		
25	Hamilton District Youth Soccer League – operating costs	\$1,000	\$9,900		
26	Hamilton Filipino Community Centre – cap. request/ building restoration /parking lot paving	**Capital**	\$25,000		
27	Hamilton Folk Arts Heritage Council – operating costs for "It's Your Festival"	\$10,000	\$60,000		
28	Hamilton Gallery of Distinction – operating costs for annual induction dinner	\$5,000	\$5,000	\$5,000	
29	Hamilton's Inuit Memorial Document – operating cost for research/produce a video	\$1,000	\$10,000		
30	Hamilton Lacrosse Association – operating costs	\$5,000	\$40,000	\$5,000	
31	Hamilton Minor Football Association – operating costs	\$9,000	\$9,000	\$9,000	
32	Hamilton Naturalists' Club – operating costs for Naturalists Walkathon	\$1,000	\$1,000	\$1,000	
33	Hamilton Philatelic Society – operating costs	\$0	\$1,000		
34	Hamilton Pontiacs Softball Team – operating costs	\$875	\$875	\$1,470	
35	Hamilton Safety Council – operating costs	\$19,000	\$24,000	\$19,000	
36	Hamilton Sports Challengers – operating costs	\$0	\$1,000	\$1,000	No Financials
		Pending Receipt of Financial Statements			
37	Hamilton Tai Chi Association – one time capital/bldg. renovations	\$0	\$3,181		

1995 April 6
The Corporation of the City of Hamilton
1995 GENERAL GRANT SUBMISSIONS

APPENDIX D

ITEM NO. (1)	NAME OF ORGANIZATION (2)	1995 GRANT AMOUNT		1994 GRANT (5)	FINANCIAL STATEMENTS (6)
		RECOMMENDED (3)	REQUESTED (4)		
38	Hamilton Theatre Inc. – operating costs	\$7,500	\$10,500	\$7,500	
39	Hamilton–Wentworth Council of the Metis Nation of Ontario – operating costs	\$500 Pending Receipt of Financial Statements	\$6,000		No Financials
40	Hamilton Victoria Club – one time capital/bldg. renovations	**Capital**	\$9,900		
41	Hamilton Visual Arts Centre – operating costs	\$1,000	\$2,123	\$1,000	
42	Hamilton Women's Soccer Club – operating costs	\$500	\$1,000	\$500	
43	91st Highlanders Association – operating costs – '95 Spectator Indoor Games	\$45,000	\$50,000	\$45,000	
44	Immigrant Women Advocacy&Resour Centre – operating costs	\$500 Pending Receipt of Financial Statements	\$10,000		Incomplete
45	The India Canada Society – operating costs – one time costs for workshop	\$1,000 Con/Recp	\$5,000 \$2,500	\$1,000	
46	The John Laing Singers – operating costs	\$2,000	\$4,000	\$2,000	
47	Junior Achievement of Hamilton/Wentwo – operating costs	\$5,000	\$7,500	\$5,000	
48	Kiwanis Music Festival – operating costs for annual Festival	\$2,500 Pending Receipt of Financial Statements	\$2,500	\$2,500	Incomplete
49	Lakeland Community Centre – operating costs	\$9,000	\$20,000		

1995 April 6
The Corporation of the City of Hamilton
1995 GENERAL GRANT SUBMISSIONS

APPENDIX D

ITEM NO. (1)	NAME OF ORGANIZATION (2)	1995 GRANT AMOUNT		1994 GRANT (5)	FINANCIAL STATEMENTS (6)
		RECOMMENDED (3)	REQUESTED (4)		
50	Luso-Canadian Cultural Council of Ham - operating costs for Luso-Cdn cultural week	\$2,500	\$7,000	\$2,500	
51	Music in the City - operating costs	\$2,000	\$10,000	\$2,000	
52	Native Indian/Inuit Photographer's Assoc. - operating costs - operating costs for 10th Anniversary Celebrations	\$5,000	\$5,000 \$5,000	\$5,000	
53	Ontario Visually Impaired Golfers Assoc. - golf games & lessons at Chedoke	\$2,000	\$4,000	\$2,000	No Financials
54	Planned Parenthood Society of Hami - one time request to assist with Conference	Conv/Recp	\$1,275		
55	Player's Guild of Hamilton, Inc. - operating costs for theatrical productions	\$3,000	\$5,000	\$3,000	
56	Red October - op costs for a 1 time Product'n	\$500	\$1,500		No Financials
57	Reportaje Panamericano - one time to assist with recitals	\$500	\$2,500		
58	Ridge Raiders Drum & Bugle Corps - operating costs	\$6,000	\$10,000	\$6,000	
59	Royal Hamilton Military Institute - one time request for operating costs	\$3,000	\$33,000		
60	St. Anthony's Feast - operating costs for annual festival	\$4,000	\$30,000	\$2,500	No Financials
61	Skills Canada Corporation - operating costs for Skills Competition	\$0	\$32,842		

1995 April 6
The Corporation of the City of Hamilton
1995 GENERAL GRANT SUBMISSIONS

APPENDIX D

ITEM NO. (1)	NAME OF ORGANIZATION (2)	1995 GRANT AMOUNT		1994 GRANT (5)	FINANCIAL STATEMENTS (6)
		RECOMMENDED (3)	REQUESTED (4)		
62	SPICMACAY – Society for the Prom of Indian Classical Music & Culture Amongst Youth – operating costs	\$500	\$1,440		
63	Stanton Pipes Soccer Club – operating costs	\$0	\$2,000		
64	Stoneworth Co—operative Homes – operating costs	\$0	\$7,000		
65	Symfonia Choir of Hamilton – operating costs	\$1,000	\$10,000		
66	Symphony Hamilton – operating costs – one time request for research	\$7,000	\$9,000 \$5,500	\$6,000	
67	Tempo Tones – Harmony Inc. – one time capital request	\$0	\$6,000		
68	Volunteer Centre of Hamilton & District – operating costs for annual appreciation night	\$9,000	\$10,000	\$9,000	
69	Wentworth Shooting Sports Club – one time capital to retrofit bldg.	\$0	\$9,900		
70	Wesley Urban Minisitries Inc. Kirkendall Strathcona Neighbourhood House – operating recreational programs for seniors Wesley Centre – op recreat'nl costs for drop-in	\$25,000	\$25,000 \$25,000	\$12,500 \$12,500	No Financials No Financials
Pending Receipt of Financial Statements					
71	West Mtn. Cougars Senior Baseball Club – operating costs	\$500	\$2,000	\$500	
72	Woodview Children's Centre – operating costs – one time capital/purchase van	\$0	\$5,000 \$25,000		

1995 April 6
The Corporation of the City of Hamilton
1995 GENERAL GRANT SUBMISSIONS

APPENDIX D

ITEM NO. (1)	NAME OF ORGANIZATION (2)	1995 GRANT AMOUNT		1994 GRANT (5)	FINANCIAL STATEMENTS (6)
		RECOMMENDED (3)	REQUESTED (4)		
73	The Hamilton Y.W.C.A. – underground piping for Ottawa St. pool	**Capital**	\$56,850		
	TOTAL REQUESTED AMOUNT	\$261,575	\$918,247		
	ADDED ITEMS				
74	Crown Point Drum & Bugle Corps – operating costs	\$1,000 Pending Receipt of Financial Statements	\$1,000		No Financials
75	Georgian Consort – operating costs	\$1,000 Pending Receipt of Financial Statements	\$2,500		No Financials
75	Voce D'Oro – operating costs	\$200 Pending Receipt of Financial Statements	\$200		No Financials
		\$263,775	\$921,947		

BOLD INDICATES FIRST TIME APPLICATION

SHADE INDICATES LATE APPLIC'N

1995 Capital Grants

ITEM NO. (1)	NAME OF ORGANIZATION (2)	1995 GRANT AMOUNT	
		RECOMMENDED (3)	REQUESTED (4)
1	Hamilton Filipino Community Centre	\$12,500	\$25,000
2	Portugese Community Centre	\$12,500	\$25,000
3	Hamilton Victoria Club	\$9,900	\$9,900
4	Hamilton YWCA	refer to 96 Capital	\$56,850
	Total	\$34,900 *	\$116,750
* Note: Capital Grants to be financed from Reserve for Contingency Centre # Ch 00115			

Minutes of Hamilton City Council
Tuesday, 1995 April 11
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor R. M. Morrow
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

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The National Anthem was played.

* * * * *

Reverend James Styles (Retired - Anglican Church) led Council in prayer.

PRESENTATIONS

A Certificate of Recognition was presented to Mr. Craig Chadwick, President of Chadwick Electric Supply Company Limited.

* * * * *

A Certificate of Recognition was presented to Ms. Joanne Malar for her winning six medals, to gold, three silver and one bronze at the recent Pan-American Games.

* * * * *

A Certificate of Recognition was presented to Deacon Sempad Bostanjian on the occasion of celebrating his 100th Birthday.

* * * * *

ADOPTION OF MINUTES

The minutes of the meeting held 1995 March 28 were adopted as circulated.

CORRESPONDENCE

1. Facsimilies dated 1995 April 6 from Christine H. Feaver, 96 Hyde Park Avenue, Hamilton, Ontario to Members of City Council and the Chairman and Trustees of the Board of Education for the City of Hamilton respecting charging rental fees to the Board of Education for its use of city swimming pools and cut backs to water sports programs.

Referred to the Parks and Recreation Committee.

2. Application dated 1995 March 29 from Ontario Realty Corporation, Toronto, Ontario for changes in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for Block "1", "R-4" (Small Lot Single-Family Dwellings) District for Block "2", and RT-20" (Townhouse - Maisonette) District for Block "3", for lands located in the area north of Stone Church Road East and east of Garth Street, Hamilton, Ontario.

Received.

3. Application dated 1995 April 3 from Wellington Chase Inc. (J. Parente), Hamilton, Ontario for a further modification to the established "G-1" (Designed Shopping Centre) District for Block "1" and for changes in zoning from "G-1" (Designed Shopping Centre) District to "C" (Urban Protected Residential, etc.) District for Block "2" and to "R-4" (Small Lot Single-Family Dwellings) District for Block "3", for lands located at the south-east corner of Upper Wellington and Stone Church Road East, Hamilton, Ontario.

Received.

4. Application dated 1995 April 3 from Wellington Chase Inc. (J. Parente) for a change in zoning from "G-1" (Designed Shopping Centre) District to "C" (Urban Protected Residential, etc.) District for lands located at the north-west corner of Emperor Drive and Upper Wentworth Street, Hamilton, Ontario.

Received.

5. Letter dated 1995 April 7 from The Board of Education for the City of Hamilton advising of their 1995 budget requirements.

Received.

6. Facsimilie dated 1995 April 10 from John G. Attridge respecting adult videos in corner stores.

Referred to the Finance and Administration Committee.

7. Facsimilie dated 1995 April 10 from C. Yachetti, Director for Canadians for Positive Community Standards respecting adult videos.

Referred to the Finance and Administration Committee.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Committee of the Whole be considered in Committee of the Whole with Alderman Agostino in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FIFTH REPORT

Section 30 Re: Flat Rate Fee - Municipal Servicing Costs

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

PARKS AND RECREATION COMMITTEE - NINTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE - ELEVENTH REPORT

Section 2 Re: Zoning Application 95-02 - Imperial Oil Limited - 1445 Main Street West

Recorded vote.

YEAS: Mayor Morrow, Aldermen McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Caplan, Copps. -3.

CARRIED.

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Section 9 Re: Rule No. 8 - Demolition Permit

It was moved by Alderman Drury and seconded by Alderman Morelli that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting Demolition Permits. **CARRIED.**

* * * * *

Section 9 (a) Demolition Permit - 115 Gladstone Avenue

It was moved by Alderman Drury and seconded by Alderman Morelli that the following be added as Section 9 of the Eleventh Report for 1995 of the Planning and Development Committee:

9. (a) That the Building Commissioner be authorized to issue a demolition permit for 115 Gladstone Avenue in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

Section 9 (b) Demolition Permit - 661 Upper Wellington Street

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 9 (b) of the Eleventh Report of the Planning and Development Committee be referred back.

CARRIED.

9. (b) That the Building Commissioner be authorized to issue a demolition permit for 661 Upper Wellington Street in accordance with By-law 74-290 pursuant to Section 33 of the Planning Act, as amended.

REFERRED BACK.

* * * * *

Section 9 (c) Demolition Permit - 760 West 5th Street

It was moved by Alderman D'Amico and seconded by Alderman Ross that Section 9 (c) of the Eleventh Report of the Planning and Development Committee be referred back.

9. (c) That the Building Commissioner be authorized to issue a demolition permit for 760 West 5th Street in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

REFERRED BACK.

FINANCE AND ADMINISTRATION COMMITTEE - ELEVENTH REPORT

Section 1 (a) Re: Street Vendor Locations**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Agostino. -8.

NAYS: Aldermen Morelli, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -9.

LOST.

* * * * *

Section 1 (e) Re: Street Vendor Locations**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Agostino. -8.

NAYS: Aldermen Morelli, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -9.

LOST.

Section 16 Re: Establish a Task Force - Adult Videos

It was moved by Alderman Charters and seconded by Alderman Wilson that Section 16 of the Eleventh Report for 1995 of the Finance and Administration Committee be referred to the Finance and Administration Committee to establish a Task Force to investigate further the classification and fee structure for Adult Video vendors, and for additional staff reports on administrative and legal ramifications from the City Clerk and City Solicitor. **CARRIED.**

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Section 22 Re: Lister Block

It was moved by Alderman Charters and seconded by Alderman Wilson that the following be added as Section 22 of the ELEVENTH Report of the Finance and Administration Committee for 1995.

22. (a) That the City of Hamilton endorse the Lister Block proposal of Municipal Non-Profit (Hamilton) Housing Corporation which meets strategic municipal and provincial goals of heritage conservation, job creation, housing in the downtown core and business improvement and which is in keeping with the city's downtown revitalization plan, and;
- (b) That the Minister of Housing be requested to provide funding approval for the Lister Block proposal.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Jackson, Charters, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Copps, Eisenberger, Merling. -3.

CARRIED.

RESOLUTION FROM PREVIOUS MEETING OF CITY COUNCIL

**Section 8 (b) - Twenty-Third Report of the Finance and Administration Committee for 1993
Reconsideration - Smoke Free Community**

It was moved by Alderman Charters and seconded by Alderman Jackson that Sub-Section (b) of Section 8 of the Twenty-Third Report for 1993 of the Finance and Administration Committee concerning the Regional Health and Social Services Committee authorizing its Medical Officer of Health to prepare a report on a smoke free community by the year 2000, be reconsidered.

CARRIED.

It was moved by Alderman Charters and seconded by Alderman Jackson that Sub-Section (b) of Section 8 of the Twenty-Third Report for 1993 of the Finance and Administration Committee be amended to read:

8. (b) That the Regional Health and Social Services Committee be requested to authorize the Medical Officer of Health to prepare a report for review by the City Clerk and subsequent recommendations to the Finance and Administration Committee, which would provide for the required actions to be taken to provide a "smoke free community by the year 2000".

CARRIED.

COMMITTEE OF THE WHOLE - FIFTH REPORT

NOTICE OF MOTION FROM PREVIOUS MEETING

Re: Alderman Wilson - Election to Higher Office

It was moved by Alderman Wilson and seconded by Alderman Charters that any member of City Council who seeks election to higher office be required to resign their seat once they are officially nominated as a candidate.

Alderman Agostino declared a potential conflict of interest as he could be affected by the decision of City Council on the motion.

After Alderman Wilson and one other speaker spoke on the motion, Alderman Charters withdrew his name as the seconder of the motion with the consent of City Council which immediately terminated any further debate or action on the motion. The motion died for lack of a seconder.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

BILLS

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills be now read a first time:

A-27, A-28, A-29, A-30, A-31, A-32.
C-28, C-29, C-30.
D-24, D-25.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the following Bills, with Alderman Agostino in the chair. (second reading).

A-27, A-28, A-29, A-30, A-31, A-32.
C-28, C-29, C-30.
D-24, D-25.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the following Bills, be adopted:

A-27, A-28, A-29, A-30, A-31, A-32.

C-28, C-29, C-30.

D-24, D-25.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-27, A-28, A-29, A-30, A-31, A-32.

C-28, C-29, C-30.

D-24, D-25.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

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City Council then adjourned at 8:50 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

S. G. Hollowell, Acting City Clerk
1995 April 11

SGH/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FIFTH** Report for 1995 and respectfully recommends:

1. That City Council enact the by-law to authorize the alteration of Hunter Street between James and John Streets by narrowing the roadway from the existing 19.05 m to a width varying from 7.5 m to 14.5 m.
2. (a) That the East/West Alley south side of 73 East 19th Street from East 19th Street to Upper Wentworth Street and the North/South Alley northerly to the north limit of 57 East 19th Street be stopped up and closed, subject to the following conditions:
 - (i) That the City Solicitor be authorized to make an application to a District Court Judge under Section 88 of the Registry Act, R.S.O. 1990, for an order to stop-up, close and sell the unassumed east/west alley south side of 73 East 19th from East 19th Street to Upper Wentworth Street and the North/South alley northerly to the north limit of 57 East 19th Street; and,
 - (ii) That the Commissioner of Transportation/Environmental Services be directed to sign an affidavit setting out that no public funds have been expended on the alleys to be closed; and,
 - (iii) That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor, and that the applicant be responsible for all fees payable in District Court; and,
 - (iv) That the Applicant register a reference plan under The Registry Act; said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and that it delineate the manner in which the closed portion is to be distributed to the abutting owners and that the applicant deposit a reproducible copy of said plan, with the Regional Surveyor; and,
 - (v) That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Municipalities Act R.S.O. 1990; and,
 - (vi) That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owners; and,

(b) Provided the Judge's Order to close the highway is granted:

- (i) That the Commissioner of Transportation/Environmental Services be directed to prepare a by-law for the sale of the closed alleyways to the abutting owners; and,
- (ii) That the City Clerk be directed to publish a notice pursuant to Section 301 of The Municipal Act, R.S.O. 1990, of the City's intention to pass the By-law; and,
- (iii) That an easement or other satisfactory arrangements be granted to Bell Canada for their existing plant within the closure area.

3. (a) That a "Wheelchair Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Lynbrook Drive commencing at a point 190 feet west of the west curb line of Rolston Drive and extending 25 feet westerly; and,

(b) That a "No Stopping, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Lynbrook Drive commencing at a point 215 feet west of the west curb line of Rolston Drive and extending 206 feet westerly; and,

(c) That the City Traffic By-law 89-72 be amended accordingly.

4. (a) That a "Permit Parking" regulation be implemented on the south side of Francis Street commencing at a point 165 feet west of Douglas Street and extending to a point 18 feet westerly therefrom; and,

(b) That a "Permit Parking" regulation be implemented on the north side of Francis Street commencing at a point 156 feet east of Emerald Street North and extending to a point 19 feet easterly therefrom; and,

(c) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Mike Laufman, No. 30 Francis Street; and,

(d) That the City Traffic By-law 89-72 be amended accordingly.

5. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the west side of West 3rd Street which commences at Richwill Road and extends to the southerly end of the street be shortened such that the regulation commences 116 feet south of Richwill Road and extends to the southerly end of the street and that the City Traffic By-law 89-72 be amended accordingly.

6. (a) That a "Permit Parking" regulation be implemented on the south side of Case Street commencing at a point 69 feet west of Ruth Street and extending to a point 24 feet westerly therefrom and on the north side of Case Street commencing at a point 170 feet west of Ruth Street and extending to a point 23 feet westerly therefrom and that the City Traffic By-law 89-72 be amended accordingly; and,

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Dorothy Thomas, No. 28 Case Street.
7. That the Director of Traffic Services be authorized to issue upon request, one Time Limit Exemption Permit to each of the first three eligible applicants residing in the apartment building at No. 187 Park Street South.
8. That a "No Parking" regulation be implemented on the east side of Rutledge Court commencing at a point 128 feet north of Independence Drive and extending to a point 156 feet northerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
9. That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Brucedale Avenue East commencing at a point 77 feet west of East 5th Street and extending to a point 118 feet westerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.
10. That the existing 83 foot "No Stopping" regulation on the west side of Ray Street North, immediately north of Napier Street, be shortened such that the regulation commences at Napier Street and extends to a point 46 feet northerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
11. That a "No Stopping" regulation be implemented on the north side of Herkimer Street commencing at a point 206 feet east of Locke Street South and extending to a point 54 feet easterly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
12. That a "No Parking" regulation be implemented on the east side of St. Steven Street between Marcella Crescent and Greenhill Avenue and that the City Traffic By-law 89-72 be amended accordingly.
13. That the existing "Permit Parking" regulation on the east side of Ray Street South commencing at a point 68 feet north of Main Street West and extending to George Street be replaced with a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation, and that the City Traffic By-law 89-72 be amended accordingly.
14. That a "Three Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented on the south side of Napier Street commencing at Queen Street North and extending to a point 149 feet east of Ray Street North and that the City Traffic By-law 89-72 be amended accordingly.

15. That the existing "Alternate Side Parking" regulation on James Street North between Strachan and Burlington Streets be replaced with a "No Parking, 1:00 p.m. to 4:00 p.m., second Tuesday of each month, April to November" regulation on the west side and a "No Parking, 1:00 p.m. to 4:00 p.m., second Thursday of each month, April to November" regulation on the east side and that the City Traffic By-law 89-72 be amended accordingly.
16. (a) That a "No Parking, 1:00 p.m. to 4:00 p.m., second Tuesday of each month, April to November" regulation be implemented on the south side of Picton Street between James and Hughson Streets; and,
 (b) That a "No Parking, 1:00 p.m. to 4:00 p.m., second Thursday of each month, April to November" regulation be implemented on the north side of Picton Street between James and Hughson Streets; and,
 (c) That the City Traffic By-law 89-72 be amended accordingly.
17. That a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of Winston Place commencing at Royal Avenue and extending to a point 111 feet northerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
18. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Cannon Street West (north leg) between Hess Street North and Caroline Street North and that the City Traffic By-law 89-72 be amended accordingly.
19. That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of Beach Road between Norton Avenue and Gage Avenue North be removed, and that the City Traffic By-law 89-72 be amended accordingly.
20. That the existing "Permit Parking" regulation on the east side of Gibson Avenue which commences at a point 354 feet south of Barton Street East and extends to a point 19 feet southerly therefrom and on the west side of Gibson Avenue which commences at a point 360 feet south of Barton Street East and extends to a point 19 feet southerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.
21. That a "Wheelchair Loading Zone, 8:00 a.m. to 5:00 p.m., seven days a week" regulation be implemented on the north side of Royal Avenue commencing at a point 61 feet west of Leland Street and extending to a point 19 feet westerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
22. That westbound traffic on Brucedale Avenue West, Queensdale Avenue West and Genesee Street be required to stop for northbound and southbound traffic on West 2nd Street and that the City Traffic By-law 89-72 be amended accordingly.

23. That in accordance with the request by the Hamilton Street Railway Company, the following bus stops be removed:

Route #23 Upper Gage

Delete - Northbound - Eva Street, east side, 21 feet south of Eaglewood Drive (N/S); and,
 Delete - Northbound - Eleanor Avenue, east side, 768 feet north of Eaglewood Drive (M/B); and,
 Delete - Northbound - Eleanor Avenue, east side, 123 feet north of the centre line of Dulgaren Street (F/S); and,
 Delete - Northbound - Eleanor Avenue, east side, 25 feet south of the centre line of Stone Church Road East (N/S).

24. (a) That the following City lands be incorporated into the streets in order to complete the final street widths or to provide access to newly registered subdivision developments:

Artistic Boulevard	Part 8	Plan 62R-13077
Embassy Drive	Part 10	Plan 62R-13077
Dicenzo Drive	Part 7	Plan 62R-11790; and,

- (b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be enacted by City Council; and,
 (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.

25. That the applications to retain inadvertent encroachments at the locations outlined on Appendix "A", appended hereto, be approved, provided:

- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 (c) That the first year fees and subsequent annual fees outlined in Appendix "A" be set for the encroachments.

26. (a) That the application of Canadian Liquid Air Ltd. to erect and retain the encroachment of a 300mm oxygen pipeline under and across Wilcox Street, be approved, provided:

- (i) That the owner enter into an agreement satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (ii) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (iii) That the owner pay a first year fee of \$252. and the applicant provide \$10 million public liability insurance naming the City and Region as additional insureds with a provision for cross liability; and,
 - (iv) That Canadian Liquid Air Ltd. be a member of the Call-Bud locate agency; and,
- (b) That the application of W. Heck to maintain the encroachment of swinging doors over the road allowance and concrete planters on the road allowance of Westinghouse Avenue, be approved, provided:
- (i) That the owner enter into an agreement satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (ii) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (iii) That the owner pay a first year fee of \$252. and an annual fee of \$20.
27. (a) That an Offer to Purchase, executed by 900074 Ontario Inc. (T.E. Yates, President), on 1995 March 16 and scheduled to close on or before 1995 October 31, for the lands being part of Lot 14, Concession 8, in the geographic Township of Barton, now in the City of Hamilton, more particularly described firstly as Part 1 on Plan 62R-12942, containing an area of 0.166 hectares (0.410 acres) more or less, and secondly as Part 4 on Plan 62R-12942, containing an area of 0.556 hectares (0.137 acres) more or less, municipally known as part of 1477 Upper James Street, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 January 31 have been fulfilled by the City, and funds derived from the sale of \$315,000. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases (Sales)); and,

- (b) That the required deposit cheque in the amount of \$31,500. be held by the City Treasurer pending City Council approval; and,
- (c) That the Purchaser acknowledges and agrees that Parts 1 and 4, Plan 62R-12942, shall not form part of any proposed land redevelopment until the earlier occurrence of the following:
 - (i) all requirements of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth have been fully satisfied including but not limited to payment to the City and/or Region, as may be, for one half of the adjacent highway construction costs for the extensions to Regina Drive and DiCenzo Drive, including curbs, pavement, sidewalks, sewers and water. It is acknowledged and agreed that such costs shall not include one half of the future land costs above noted; or,
 - (ii) the registration on title of a Subdivision Agreement encompassing the said Part 4 in accordance with the City's subdivision requirements at that time; and,
- (d) That the completion of this Offer to Purchase is subject to the following conditions being met:
 - (i) that the Purchaser, at their sole expense, apply for and obtain rezoning of Part 1, Plan 62R-12942, to allow for Neighbourhood Commercial and the rezoning of Part 4, Plan 62R-12942, to allow for residential use in accordance with the approved Neighbourhood Plan for Ryckman's. The required rezoning shall include the following:
 - 1. the passing of a by-law by the Municipality to rezone the subject property to allow the above described use; and,
 - 2. if there is an appeal, the final determination of the appeal upholding a by-law by the Municipality to rezone the subject lands to allow the above described use; and,
 - (ii) if the required zoning as set out in (i) above has not been completed by the closing date set out in this Offer to Purchase, then this Offer to Purchase shall be null and void and the deposit shall be returned by the Vendor to the Purchaser without interest and the Vendor shall not be liable for any damages or costs; and,

- (iii) the Purchaser acknowledges that in approving this Offer to Purchase by the City, the City does not fetter the discretion of the City Council to decide whether to pass a by-law rezoning the subject lands pursuant to the application set out in (i) above. City Council is under a statutory duty under the Planning Act, 1983 to consider all the factors set out in that Act, in deciding whether to pass a by-law to rezone the subject lands; and,
- (e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
- (f) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (i) satisfactory Notice has been given to the public of the intended sale; and,
 - (ii) an appraisal of the fair market value of the real property intended to be sold was obtained on the 3rd day of April, 1995; and,
 - (iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
- 28. (a) That the proposed 1995 Road and Sidewalk Capital Improvement Programme in the amount of \$8,525,000. be approved; and,
- (b) That the Commissioner of Transportation/Environmental Services be authorized to undertake these works, shown as Appendix "B" attached hereto, on behalf of the City of Hamilton once all the necessary approvals have been received.
- 29. (a) That the construction of an independent concrete sidewalk on the north side of Stone Church Road from Upper Gage Avenue to approximately 61 m west of Rambo Street (east limit of No. 749 Stone Church Road); from approximately 107 m west of Rambo Street to approximately 222 m west of Upper Sherman Avenue; from approximately 383 m west of Upper Sherman Avenue to approximately 26 m westerly (Hydro property) and on the south side of Stone Church Road from Upper Gage Avenue to approximately 83 m westerly (east limit of 41 Epic Place); from Leaway Avenue to Eleanor Avenue; and, from approximately 37 m west of Eleanor Avenue to approximately 30 m east of Ridgemount Drive proceed as a local improvement pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of \$263,620. with a City's Share of \$41,528. and Owner's Share of \$222,092. all as provided in the 1995 portion of the 1995 - 2004 Capital Budget; and,
- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,

- (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,
 - (d) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.
30. (a) That the City's "Flat Rate Fee" to be applied to outstanding City of Hamilton municipal servicing costs along "0.30" metre Reserves, be adjusted from the present rate of \$ 290. per metre of frontage and/or flankage to \$ 300. per metre frontage and/or flankage for 1995; and,
- (b) That the revised "Flat Rate Fee" be applied to all costs recovered in 1995 along 0.30 metre Reserves after the adoption of the proposed rate.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

31. That four-way stop control be implemented at the intersection of Afton Avenue and Lorne Avenue and that the City Traffic By-law 89-72 be amended accordingly.
32. That three-way stop control be implemented at the intersection of Adler Avenue and Independence Drive and that the City Traffic By-law 89-72 be amended accordingly.
33. That a purchase order be issued to Niagara Paint Inc., Hamilton, Ontario for the supply and delivery of traffic paint as and when required during 1995 by the Traffic Services Department in accordance with the specifications issued by the Manager of Purchasing Vendor's Tender and that the estimated expenditure of \$165,000. for 1995 be financed through the Pavement Marking Materials Account No. CH56153 75999, as follows:

Non-Coning Type Paint	20,000 l. White in 205 l. containers	\$1.75/l
Non-Coning Type Paint	55,000 l. Yellow in 205 l. containers	\$1.75/l
Coning Type Paint	20,000 l. White in 20 l. containers	\$1.84/l
Coning Type Paint	1,000 l. Yellow in 20 l. containers	\$1.84/l

34. That leave be granted to introduce the following Bills:

- (a) A-27 A By-law to Alter Hunter Street Between James and John Streets by Narrowing the Pavement
- (b) A-28 A By-law to Incorporate City Land Designated as Part 8, Plan 62R-13077 into Artistic Boulevard
- (c) A-29 A By-law to Incorporate City Land Designated as Part 10, Plan 62R-13077 into Embassy Drive
- (d) A-30 A By-law to Incorporate City Land Designated as Part 7, Plan 62R-11790 into Diconzo Drive
- (e) A-31 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (f) A-32 A By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson
Secretary**

1995 April 3

Appendix "A" as referred to in
Section 25 of the FIFTH
Report of the Transport and
Environment Committee for 1995

<u>Location</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/Annual</u>	<u>File Number</u>
377 Ferguson Avenue North	S. Levely and S. Mitchell	Garage 5.715m x .2987m	138/20	T130 50 (1155)
242 Bristol Street	A. and A. Perez	Steps onto Bristol Street 1.524m x 1.912m	138/20	T103 50 (1156)
221 Queen Street North	Coung	Garage onto Greig Street 2.591m x .381m	138/20	T103 50 (1158)
136 Birge Street	J. & E. Castelhano	Front steps .061m x .762m	138/20	T103 50 (1157)
11 Wood Street West	J. Fabian	Garage 4.34m x 2.84m x 1.27m (other side) Porch 2.67m x .783m	138/20	T103 50 (1159)
255 Cannon Street East	Vuu/Nguyen	Steps encroach onto West Avenue .487m x .9144m	138/20	T103 50 (1148)
84 Ellis Avenue	G. McPhail	Steps encroach onto Ellis Avenue measuring 3.0m x 1.4m	138/20	T103 50 (1160)

CITY OF HAMILTON
1995 ROAD AND SIDEWALK IMPROVEMENT PROGRAMME

<u>A. Roads and Abutting Sidewalks</u>				
Bendmere Avenue	Garth	Columbia	road resurface-sidewalk repairs-both sides in conjunction with Regional watermain works	\$416,100
Carwyn Crescent	Purvis	Yates	road reconstruction-sidewalk reconstruction & repair-both sides in conjunction with Regional watermain works	200,800
Charles Street	Bold	Hurst	road reconstruction-sidewalk reconstruction-both sides in conjunction with Regional sewer and watermain works	68,600
Columbia Drive	Bendmere	North End	road resurface-sidewalk reconstruction and repairs-both sides in conjunction with Regional watermain works	284,200
East 15th Street	Brucedale	Queensdale	road reconstruction-sidewalk reconstruction-both sides in conjunction with Regional watermain works	167,200
	Fennell	Howe	road reconstruction-sidewalk reconstruction & repair-both sides in conjunction with Regional watermain works	235,600
East 16th Street	Fennell	Howe	road reconstruction-sidewalk reconstruction & repair-both sides in conjunction with Regional watermain works	290,300
East 36th Street	Fennell	Mohawk	road reconstruction-sidewalk reconstruction-both sides in conjunction with Regional watermain works	749,100
	Brucedale	Fennell	road resurface-sidewalk reconstruction & repair-both sides	96,100
	Queensdale	Brucedale	road reconstruction-sidewalk reconstruction-both sides	214,300
	Queensdale	Munn	road reconstruction-sidewalk reconstruction-both sides in conjunction with Regional sewer works	94,500
	Munn	Crockett	regrade and surface treat road-sidewalk reconstruction and repair-both sides in conjunction with Regional sewer and watermain works	109,500

Appendix "B" as referred to in
Section 28 of the FIFTH
Report of the Transport and
Environment Committee for 1995

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
East 44th Street	Queensdale	Fennell	road reconstruction-sidewalk reconstruction & repair-both sides in conjunction with Regional watermain works	\$468,800
Pay Avenue	Organ	Broker	road reconstruction-sidewalk reconstruction & repair-both sides in conjunction with Regional sewer and watermain works	120,300
King Street (South leg)	John	Hughson	road reconstruction-paving stones-sidewalk repair-south side in conjunction with Regional sewer and watermain works	264,000
King William Street	Catharine	Mary	road resurface-sidewalk repairs-both sides in conjunction with Regional watermain works	781,300
	Mary	Victoria	road reconstruction-sidewalk reconstruction & repair-both sides in conjunction with Regional sewer and watermain works	
Lealie Avenue	Upper Paradise	West 23rd	road resurface-sidewalk repairs-both sides in conjunction with Regional watermain works	301,200
MacNab Street South	Bold	Hurst	road reconstruction-sidewalk reconstruction-both sides	78,400
Munn Street	East 36th	Upper Sherman	road reconstruction-sidewalk reconstruction-both sides in conjunction with Regional sewer works	585,200
Queensdale Avenue	Upper Gage	East 36th	road reconstruction - sidewalk repair & reconstruction - both sides in conjunction with Regional sewer works.	334,800
Roxborough Avenue	Strathearne	Tolton	road resurface-sidewalk repairs-both sides in conjunction with Regional sewer works	221,500

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Tolton Avenue	Barton Melvin Britannia Roxborough Dunsmuir	Melvin Britannia Roxborough Dunsmuir	road overlay-sidewalk repairs-both sides road reconstruction-sidewalk reconstruction-both sides road reconstruction only-no sidewalk work road resurface-sidewalk repairs-both sides in conjunction with Regional sewer works	\$123,200 131,700 110,600 64,600
Yates Drive	Purvis	South End	road reconstruction-sidewalk reconstruction-both sides	<u>167,800</u> \$6,679,700
TOTAL SECTION "A"				

B. Sidewalks on Regional Roads

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Barton Street	Strathearne	Parkdale	both sides-reconstruction and repair	\$173,300
Burlington Street East	Sherman	Wilcox	both sides-repair	30,700
Gage Avenue North	Burlington	Beach	both sides-reconstruction and repair	111,400
King Street East	James	Mary	both sides-paving stone repair	27,300
Ottawa Street North	Main	Beach	both sides-repair	23,800
Parkdale Avenue South	Main King	Queenston Queenston	both sides-reconstruction and repair west side - reconstruction	49,500 96,200
Parkdale Avenue North	Main	Barton	both sides-reconstruction and repair	301,200
Upper Wellington St	Mohawk	Jay	both sides-reconstruction and repair	<u>121,800</u>
TOTAL SECTION "B" \$935,200				

C. Sidewalks Only

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Caprice Court	Montcalm	West end	reconstruction and repair-both sides	\$ 29,900
East 41st Street	Sunninghill	Brucevale	reconstruction and repair-both sides	216,900
Merle Court	Rendell	East end	reconstruction and repair-both sides	48,300
TOTAL SECTION "C"				\$295,100

D. Miscellaneous ProjectsDESCRIPTION

<u>DESCRIPTION</u>	<u>ESTIMATE</u>
Tree planting in conjunction with roadworks	\$ 86,000
Catchbasin and Drain Connections	50,000
-various locations in conjunction with Regional Local Improvement sewer Projects	441,000
Streetlighting-various locations-modifications and upgrades generally in conjunction with road works	38,000
TOTAL SECTION "D"	\$615,000
GRAND TOTAL	\$8,525,000

E. Supplementary List

Streets may be done in the order listed if residual funds are available.

<u>STREETS</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Lower Morning Road	Purvis	Carwyn	road reconstruction-sidewalk reconstruction & repair-both sides in conjunction with Regional watermain works	\$227,600
McElroy Road	Upper James	Dodson	road reconstruction-sidewalk reconstruction-both sides in conjunction with Regional watermain works	503,500
East 14th Street	Fennell	Brucevale	road reconstruction-sidewalk reconstruction-both sides	143,700
Endfield Avenue	Brentwood	Kingslea	road reconstruction-sidewalk reconstruction and repair-both sides in conjunction with Regional sewer works	210,300

Hurst Place	MacNab	Park	road reconstruction-sidewalk reconstruction and repair-south side	119,400
Balmoral Avenue South	King	Justine road	reconstruction-sidewalk repairs-both sides in conjunction with Regional watermain works	393,000
East 18th Street	Concession	Fennell	road reconstruction-sidewalk reconstruction-both sides in conjunction with Regional sewer works	856,800
Organ Crescent	Fennell	Upper Kenilworth	road reconstruction-sidewalk reconstruction and repair-both sides in conjunction with Regional watermain works	<u>451,200</u>
			TOTAL SECTION "E"	\$2,905,500
				95 03 10

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **NINTH** Report for 1995 and respectfully recommends:

1. (a) That the contracts between the Corporation of the City of Hamilton and Mr. D. Shock, Pro-Manager at King's Forest Golf Course and Mr. J. Beddome, Pro-Manager at Chedoke Golf Course and Winter Sports Park be renewed for the 1995 operation season under the same terms and conditions of the prior agreement; and,

(b) That the City Solicitor be authorized and directed to have prepared and executed the necessary document; and,

(c) That the Director of Culture and Recreation be directed to prepare a three year business plan for these facilities for consideration during the 1996 current budget process.
2. That permission be granted to the Hamilton Tiger-Cat Football Club to rent the ice for a charity hockey game against FAN 590, all-Sports radio at Lawfield Arena as a fundraising effort in support of the Rob Wilcox Memorial Fund on 1995 April 23 from 5:00 o'clock p.m. to 7:00 o'clock p.m. at the reduced hourly rate of \$100.
3. (a) That permission be granted to St. Thomas More High School Fishing Club to utilize Coronation Arena Pool from 1995 May 1 to May 4 to provide the opportunity for an Urban Fishing Program under the following conditions:
 - (i) That the School Board provide proof of \$5,000,000. comprehensive liability insurance for property damage and bodily injury, naming the City as an additional insured be provided; and,
 - (b) That the Director of Culture and Recreation be directed to review the City's level of involvement in this project and report back on the future direction of this event.
4. (a) That the construction contract for the renovations and additions to Inch Park and Parkdale Arenas be awarded to James Kemp Construction Limited of Hamilton Ontario at a cost of \$ 3,650,942.79 including G.S.T. of \$ 238,846.72; and,

(b) That the construction contract be finalized by the City Solicitor; and,

- (c) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City; and,
- (d) That the above activities be completed on 1995 April 19 to expedite the schedule.

Respectfully Submitted,

**ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson
Secretary**

1995 April 11

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **ELEVENTH** Report for 1995 and respectfully recommends:

1. That approval be given to Amended Zoning Application 94-04, Investors Group, mortgagee in possession, requesting a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial - Residential) District, modified, for Block "1", and for a modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations, for Block "2", to permit a seven storey mixed commercial and residential building, containing retail space on the ground floor and 50 senior citizen dwelling units on the second to seventh floors, for lands located at No. 370 Main Street East as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That Block "1" be rezoned from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial - Residential) District; and,
 - (b) That the "CR-2" (Commercial - Residential) District regulations as contained in Section 15B of Zoning By-law No. 6593, applicable to Block "1", be modified to include the following variances as special requirements:
 - (i) For the purpose of this By-law, a Senior Citizens' Dwelling Unit shall mean a separate set of living quarters, operated by a non-profit housing corporation which receives assistance under the National Housing Act or other non-profit housing programs, the purpose of which is to provide housing subsidies for qualifying senior citizens, and which shall include at least one room and separate kitchen and sanitary conveniences with a private entrance outside or from a common hallway or stairway inside; and,
 - (ii) Notwithstanding Sections 15B(14) and 15B(16), a mixed commercial and residential development shall be permitted with a total maximum gross floor area of 4,114 m² and shall include a Senior Citizens' Multiple Dwelling with a maximum of 50 Senior Citizens' Dwelling Units and a maximum residential gross floor area of 3,983 m², subject to the following special provisions:
 1. Notwithstanding Section 15B(8)(b) no building or structure shall exceed 7 storeys or 22.4 m in height; and,

2. Notwithstanding Section 15B(9) the following minimum yards shall be provided and maintained for any residential use:
 1. front yard (north lot line along Main Street) 5.0 m
 2. side yard (west lot line) 0.0 m
 3. side yard (east lot line along Emerald Street) 0.0 m
 4. rear yard (south lot line); 4.5 m;
and,
 3. Notwithstanding Section 15B(11)(b) a west side yard of 0.0 m may be provided and maintained for any commercial use; and,
 4. Notwithstanding Section 15B(19) a minimum amenity area of 721 m² shall be provided and maintained; and,
 5. Notwithstanding Section 15B(21) and 15B(22) a minimum landscaped area of 111.5 m² shall be provided and maintained and may be located above grade, subject to Section 15B(27); and,
 6. Notwithstanding Section 18.(3)(vi), a balcony may project 1.6 m into the required front and rear yards; and,
 7. Notwithstanding Section 18A, a minimum of one 3.7 m x 9.0 m x 4.3 m loading space shall be provided and maintained; and,
 8. Notwithstanding Section 18A, parking shall be provided and maintained for a Senior Citizens' Multiple Dwelling on the basis of 0.3 spaces per Senior Citizens' Dwelling Unit, except that not less than 33 parking spaces shall be provided and maintained; and,
 9. Notwithstanding Section 18A, a maximum of four of the required parking spaces may be located on Block "2"; and,
- (c) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variances as special requirements:
- (i) Notwithstanding Section 11(1), parking accessory to a mixed residential and commercial development on Block "1" shall be permitted, subject to the following special provisions:
 1. Notwithstanding Section 18(A) manoeuvring space may be provided off-site; and,

2. A visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the southerly lot line, except for a distance of 5.0 m from the Emerald Street road allowance; and,
 3. A minimum 2.7 m wide landscaped planting strip shall be provided and maintained along the southerly lot line.
- (d) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1340, and that the subject lands on Zoning District Maps E-13 and E-14 be notated S-1340; and,
 - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-13 and E-14, for presentation to City Council; and,
 - (f) That this proposed change and modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
 - (g) That Blocks "1" and "2" be redesignated on the Approved Stinson Neighbourhood Plan from "Commercial" to "Commercial and Apartments".
2. (a) That approval be given to Zoning Application 95-02, Imperial Oil Limited, owner, requesting a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations for Block "1", and for a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District modified, for Block "2", to permit the development of a gas bar and car wash with drive thru restaurant and convenience store, for property located at 1445 Main Street West, as shown on the attached map marked as Appendix "B", on the following basis:
 - (i) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District; and,
 - (ii) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variances as special requirements:
 1. Notwithstanding Section 14.(1)(xvii) of Zoning By-law No. 6593, a mechanical car wash consisting of one bay, as an accessory use to a gas bar shall be permitted; and,

2. Notwithstanding Section 18.(3)(ivc)(a) of Zoning By-law No. 6593, a 4.0 m minimum northerly side yard shall be provided and maintained for every building or structure; and,
3. Notwithstanding Section 14.(1)(xvi) of Zoning By-law No. 6593, only one (1) business identification sign that is ground sign and having a vertical dimension of not more than 6.0 metres, an aggregate area of vertical projection of not more than 1.0 square metre per 0.5 metres of street frontage of the lot, and located not less than 3.0 m from the Main Street West streetline shall be permitted; and,
4. Notwithstanding clause 2.(2) J.(xb) of Zoning By-law No. 6593, one (1) directional sign at each point of ingress and egress, and each said sign of a size not exceeding 1.2 square metres (12.92 square feet) shall be permitted; and,
5. No sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination; and,
6. A landscape area not less than 6.0 m in width shall be provided and maintained along the westerly lot line where the lot adjoins a residential district and no parking or other use shall be permitted within the landscape area, except for the one bay mechanical car wash; and,
7. A landscape area not less than 3.0 m in width shall be provided and maintained along the northerly and easterly lot lines, except for any area used for driveways access; and,
8. A visual/acoustical barrier not less than 1.8 m in height and not more than 2.0 m in height shall be provided and maintained along the westerly lot line, where the lot adjoins a residential district;
and,
- (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1341, and that the subject lands on Zoning District Map W-46 be notated S-1341; and,
- (iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, and Zoning District Map W-46 for presentation to City Council; and,
- (v) That the proposed change and modification in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and,

(b) That Site Plan Control By-law No. 79-275 as amended by By-law No. 87-223 be amended by adding the subject lands to Appendix "B", and that final Site Plan Approval be withheld until:

- (i) a noise study with attenuation measures has been completed to the satisfaction of Ministry of the Environment; and,
- (ii) a traffic analysis respecting left turns from Main Street West has been completed to the satisfaction of the Traffic Department.

Recorded vote.

YEAS: Mayor Morrow, Aldermen McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Caplan, Copps. -3.

CARRIED.

3. (a) That approval be given to application 25CDM-94006, Homes by DeSantis Inc., owner, to establish a draft plan of condominium located at 819 Upper Paradise Road, subject to the following conditions:

- (i) That this approval apply to the plan prepared by J. D. Barnes Limited and certified by S. J. Balaban, an Ontario Land Surveyor on September 19, 1994, showing 16 residential townhouse units; and,
- (ii) That the Final Plan of Condominium be in strict conformity with the Site Plan approved on October 24, 1994 and finalized on January 9, 1995 under application DA-94-23 prior to registration; and,

(b) That the City Clerk be directed to advise the Regional Commissioner of Planning and Development of Council's decision.

4. (a) That the request of Mr. David A. Elliot, Solicitor for 200 Rymal Road Inc. (J. Chun, President) owner, to establish maintenance easements by removing part-lot control from Lots 1 to 10 inclusive and Lots 20 to 32 inclusive, "Allison Estates, Phase 1" plan of subdivision, 62M-778, be approved; and,

(b) That the by-law to remove part-lot control from Lots 1 to 10 inclusive and Lots 20 to 32 inclusive "Allison Estates, Phase 1" plan of subdivision, be enacted by Council; and,

- (c) That following enactment of this by-law, that the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs) be requested to grant approval to the by-law and endorse the same on the by-law; and,
 - (d) That following completion of the conveyances being permitted by the said by-law to remove part-lot control, a by-law be enacted to repeal the said by-law.
5. That the Building Commissioner be authorized to issue a demolition permit for 150 Stapleton Avenue in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.
6. (a) That Section 3 of the Sixteenth Report of the Planning and Development Committee Report for 1992, approved by Council on 1992 September 29, regarding approval of the cash figure in lieu of 5% parkland dedication for "The Gardens of Rymal - Phase 4" be deleted; and,
- (b) That the City of Hamilton accept the sum of \$ 38,750.00 as cash payment in lieu of the 5% land dedication in connection with "The Gardens of Rymal - Phase 4", Hamilton, this being the cash payment required under Section 51 of the Planning Act.
7. (a) That the City of Hamilton settle the Ontario Municipal Board Hearing concerning 986-998 Upper Wentworth Street by,
- (i) offering to rezone the property such that 75% of the existing floor area of the shopping plaza be permitted to be used for restaurant uses; and,
 - (ii) paying \$8,000. towards the Owner's costs of the appeal to date; and,
- (b) That the City Treasurer be requested to recommend the appropriate method of financing the settlement indicated in (b) above.
8. That leave be granted to introduce the following Bills:
- (a) C-28 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at No. 680 Van Wagner's Beach Road.
 - (b) C-29 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on the West Side of Locke Street South, Between King Street West and Main Street West (Municipal Nos. 18 to 64 Locke Street South).

- (c) C-30 A By-law to Remove Land Within the Allison Estates, Phase 1 Sub-Division, Plan 62M-778 from Part-Lot Control.

9. (a) That the Building Commissioner be authorized to issue a demolition permit for 115 Gladstone Avenue in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

- (b) That the Building Commissioner be authorized to issue a demolition permit for 661 Upper Wellington Street in accordance with By-law 74-290 pursuant to Section 33 of the Planning Act, as amended. **REFERRED BACK.**

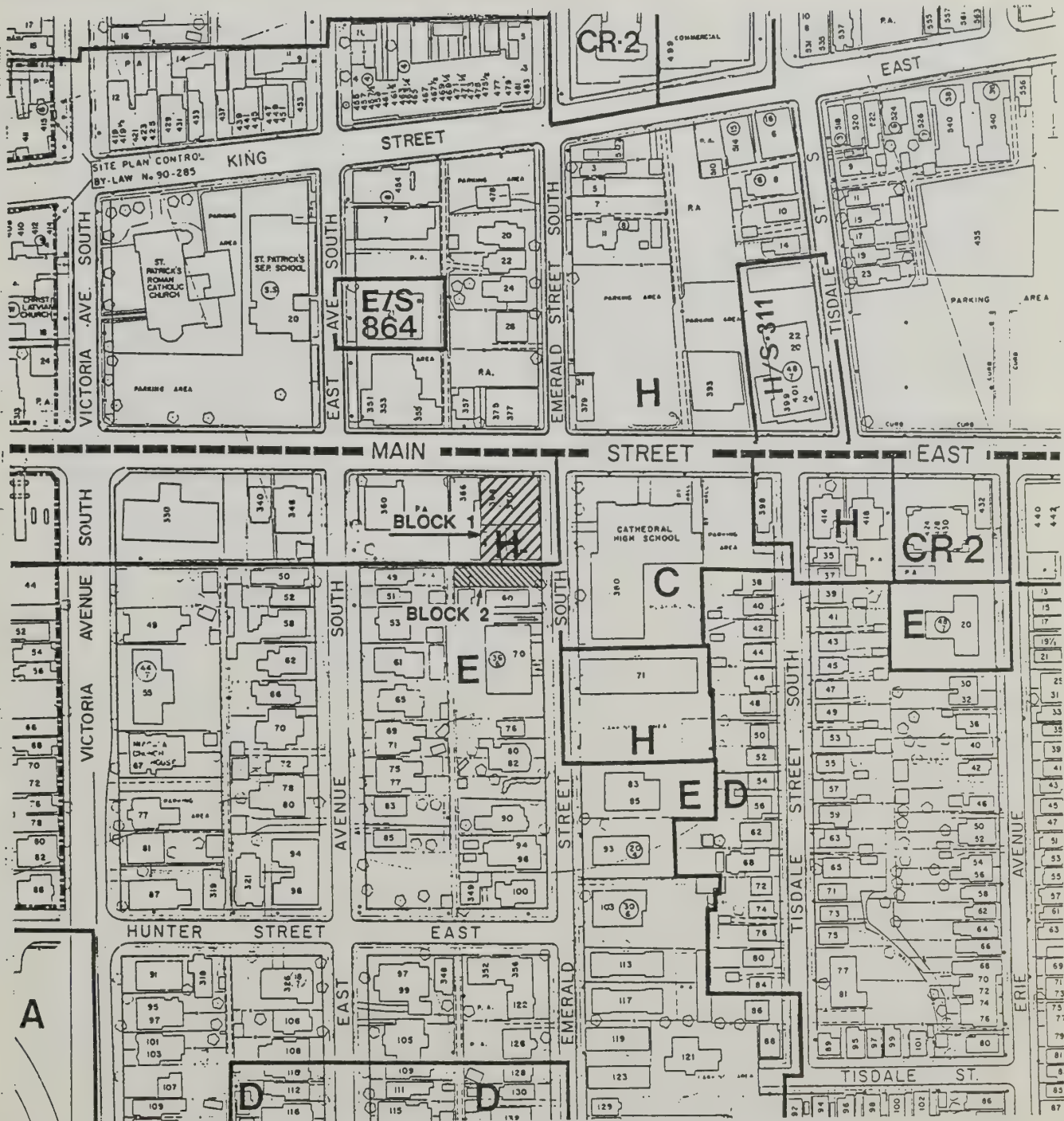
- (c) That the Building Commissioner be authorized to issue a demolition permit for 760 West 5th Street in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended. **REFERRED BACK.**
SECTION 9. ADDED.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

Stella Glover
Secretary

1995 April 5



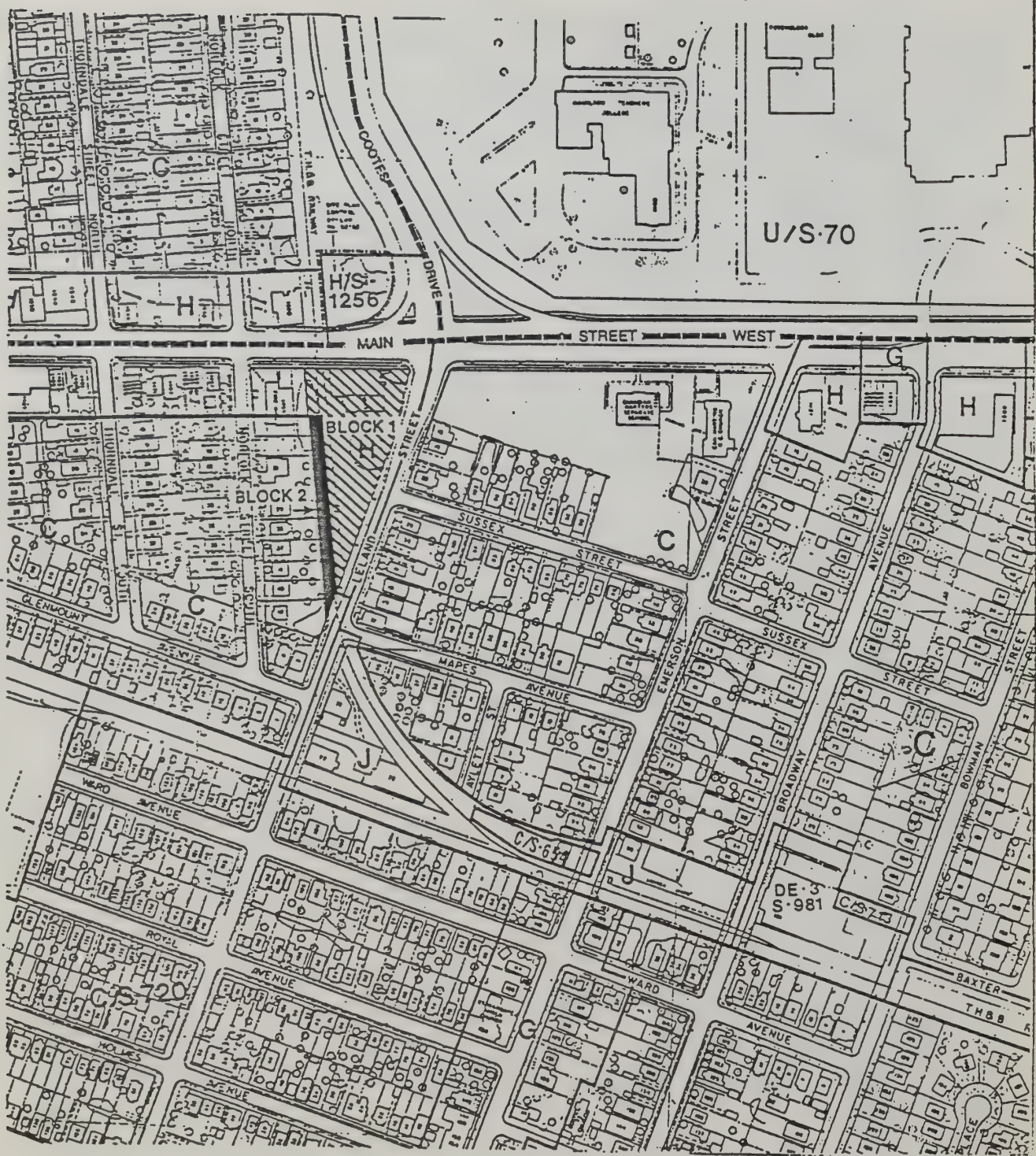
Legend

Proposed Changes in Zoning From:

BLOCK 1  "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial - Residential) District, modified.

BLOCK 2  Proposed modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations.



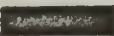


Legend



BLOCK 1 

Modification to the established "H" (Community Shopping and Commercial, etc.) District

BLOCK 2 

From: "C" (Urban Protected Residential, etc.) District
To: "H" (Community Shopping and Commercial, etc.) District,
modified

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **ELEVENTH** Report for 1995 and respectfully recommends:

1. (a) That a first right of refusal be offered to those vendors who operated street vendor locations during 1994 for a grandfathered three year term, subject to the new criteria within the Street Vendors Program; and,

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Agostino. -8.

NAYS: Aldermen Morelli, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -9. **LOST.**

- (b) That those sites identified in the Schedule, attached herewith and marked Appendix "A" be approved as Street Vendor locations; and,

- (c) That the Director of Public Works be authorized to proceed with a Request for Proposals to solicit street vendors for approved locations as outlined in Appendix "A" herewith attached, for a term of three years; and,

- (d) That the Schedule attached herewith and marked Appendix "B", outlining the evaluation criteria which will be used in the Request for Proposals package be approved; and,

- (e) That the Director of Public Works be directed to compile a proposed fee schedule for street vendor locations being grandfathered, based on use and traffic for the consideration of the Finance and Administration Committee; and,

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Agostino. -8.

NAYS: Aldermen Morelli, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -9. **LOST.**

- (f) That a five member Street Vendor Selection Committee be appointed.

2. That approval be given to the actions taken by the City Clerk in authorizing the Ontario Archaeological Society, Hamilton Chapter, to use the Second Floor Foyer (West End) for the display of artifacts recovered from the turn-of-the century Cathedral Park Landfill Site, from Tuesday, 1995 March 21 until Tuesday, 1995 September 5.
3.
 - (a) That approval be given to the Hamilton-Wentworth Regional Cycling Committee for the use of the City Hall Forecourt on Wednesday, 1995 May 17 between the hours of 6:30 o'clock a.m. to 8:30 o'clock a.m. for the serving of breakfast to bicyclists in promotion of "Bike to Work Week"; and,
 - (b) That the City Clerk be authorized to approve similar use in future years provided it does not interfere with any other activity.
4.
 - (a) That approval be given to Cathedral High School (Boys) for the use of the City Hall Parking Lot (East Side) on Sunday, 1995 July 23 between the hours of 8:00 o'clock a.m. to 4:00 o'clock p.m. for a Basketball Tournament (3 on 3), subject to the requirements of the Parking Authority; and,
 - (b) That the City Clerk be authorized to approve similar use in future years provided it does not interfere with any other activity.
5.
 - (a) That approval be given to United Disabled Consumers and the Good Shepherd Centres to use the City Hall Forecourt on Sunday, 1995 June 11 between the hours of 8:00 o'clock a.m. to 10:30 o'clock a.m. for a "Kick Off" ceremony and registration for "People in Partnership '95" walk-a-thon; and,
 - (b) That the City Clerk be authorized to approve similar use in future years provided it does not interfere with any other activity.
6.
 - (a) That approval be given to the Juvenile Diabetes Foundation of Canada to use the Second Floor Foyer for the set up of a Stationary Bike for a fundraising event on Friday, 1995 June 23 between the hours of 8:30 o'clock a.m. to 4:30 o'clock p.m.; and,
 - (b) That the City Clerk be granted authority to approve similar use in future years provided it does not interfere with any other activity.
7. That approval be given to the action taken by the City Clerk in authorizing Lawfield Minor Hockey to use the City Council Chambers on Wednesday, 1995 March 22 between the hours of 7:00 o'clock p.m. to 9:00 o'clock p.m. for a meeting.

8. That the City exercise its option and issue a purchase order to A-Skylight Window Cleaning Company (1988) Ltd., Hamilton in the amount of \$13,561.68 plus (\$949.32) G.S.T. to clean the interior and exterior windows of City Hall, the City Hall Garage, the Football Hall of Fame, and the exterior marble at City Hall during 1995, this being the lowest tender received in accordance with the specifications issued by the Manager of Purchasing.
9. That the City quit claim and release a parcel of land measuring about 2 feet by 26 feet (Part 6, Plan 62R-8773) at the rear of 499 John Street North to George and Nancy Sterling, the current owners of 499 John Street North.
10. That a purchase order be issued to Weiland Ford Sales, Kitchener, in the amount of \$129,540.60, all applicable taxes included, for the purchase of Six (6) Mid-Size Passenger Sedans for City Garage, being the lowest of seven tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X501 00101.
11. That a purchase order be issued to Queenston Chev Olds, Hamilton, in the amount of \$313,153.05, all applicable taxes included, for the purchase of Twenty-one (21) Compact Cars for City Garage, being the lowest of seven tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X501 00101.
12. That a purchase order be issued to Weiland Ford Sales, Kitchener, in the amount of \$58,839.75, all applicable taxes included, for the purchase of Three (3) Compact Pick-up Trucks for City Garage, being the lowest of eleven tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X501 00101.
13. That a purchase order be issued to Weiland Ford Sales, Kitchener, in the amount of \$144,135.23, all applicable taxes included, for the purchase of Seven (7) Mid-Size Passenger Sedans for City Garage, being the lowest of seven tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X501 00101.
14. That the City Solicitor be authorized to prepare an appropriate By-Law to construct an independent concrete sidewalk on the north side of Stone Church Road from Upper Gage Avenue to approximately 61 m west of Rambo Street (east limit of #749 Stone Church Road); from approximately 107 m west of Rambo Street to approximately 222 m west of Upper Sherman Avenue; from approximately 383 m west of Upper Sherman Avenue to approximately 26 m westerly (Hydro property) and on the south side of Stone Church Road from Upper Gage Avenue to approximately 83 m westerly (east limit of 41 Epic Place); from Leaway Avenue to Eleanor Avenue; and, from approximately 37 m west of Eleanor Avenue to approximately 30 m east of Ridgemount Drive under the Local Improvement Act at an estimated cost of \$263,620. with a City's

share of \$41,528. to be financed from the 1995 Capital Levy (Account Centre No. CH 22002) and the balance of \$222,092. being the Owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$222,092. for a term not to exceed 20 years for the above project.

15. That the Federal Minister of the Environment and the Federation of Canadian Municipalities be advised that Hamilton City Council endorses the National Packaging Protocol (NAPP) programme and supports the FCM Resolution, herewith attached and marked Appendix "C".

16. (a) That City of Hamilton By-law No. 93-045, respecting the regulating and governing of Adult Videos, and for regulating Video Stores in which Adult Videos are provided, be amended to provide for the following:

(i) (1) A Class A Licence for persons being in the business of operating an Adult Video Store; and,

(2) A Class B Licence for persons operating a business where Adult Videos are 20% or less of the video stock offered for sale or rent;

(ii) The designated area within a Class B Licence to be equipped with a self closing full-length door; and,

(iii) All Adult Video covers or jackets, which contain specified body areas or specified sexual activities as defined in the By-law, to be covered by an opaque cover when being transported from the designated area of a Class B Licence to the Cashier; and,

(iv) (1) The number of Adult Videos, permitted as an incidental use in a Class B Business, to be restricted to not more than 20% of the total number of regular videos available; and,

(2) The Operators of all Class B Outlets be required to keep on file a list and number of all videos available and a list and number of all Adult Videos available; and,

(v) The fee for either class of Adult Video Licence be \$150.; and,

(vi) Reduction in the number of licences to four and removing two locations; and,

(vii) A hearing for the denial of a licence in accordance with Bill 198, a Provincial Act to amend the Liquor Licence Act, the Municipal Act, the Regional Municipalities Act and certain other statutes related to Upper Tier Municipalities; and,

(b) That the City Solicitor be authorized to prepare the appropriate By-law to amend By-law 93-045, accordingly. **REFERRED BACK WITH INSTRUCTIONS.**

17. That the Mayor and a maximum of six (6) Aldermen be authorized to attend the 58th Annual Conference of the Federation of Canadian Municipalities to be held in Toronto, Ontario on 1995 June 9 - 12.
18. That City Council consent to the use of the name "Hamilton" in the proposed incorporation of the name "The Greater Hamilton Chinese Dragon Boat Race Society".
19. That the sale of vacant land at the corner of Stone Church Road and DiCenzo Drive to Corrine and John Martin (purchasers) conditionally authorized by Council at its meeting of 1995 January 10, (Section 6 of the Second Report of the Finance and Administration Committee), -- conditional upon fulfilling the new real property sale requirements in the Municipal Act, be confirmed pursuant to the City's new Real Property Sales Procedural By-law No. 95-049, enacted on 1995 January 31, as follows:
 - (a) The said land intended to be sold to the said purchasers has been declared surplus to the requirements of the City; and,
 - (b) Satisfactory Notice to the public of the intended sale has been given pursuant to the provisions of the above Real Property Sales Procedural By-law; and,
 - (c) An appraisal of the fair market value of the real property intended to be sold was obtained on the 14 day of March 1995; and,
 - (d) That the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed by Section 193 of the Municipal Act; and,
 - (e) The said conditional Council resolution on the sale to Corrine and John Martin, be amended by deleting said condition being Section 6 (a)(v) of the Second Report of the Finance and Administration Committee approved by City Council on 1995 January 10, and that the City Clerk be directed to notify the purchasers of the removal of such condition and this authorization of the said sale of real property.

20. That the Canadian Polish Congress be permitted to mount a display of Polish Heritage Artifacts (to be contained within a wooden/glass display case), on the first floor of City Hall at the pleasure of City Council in accordance with the City's "Policy on the Acquisition and Display of Plaques, Posters, Memorabilia and Awards in City Hall".
21. That leave be granted to introduce the following Bills:
- (a) D-24 A By-law to Authorize 1995 Debenture Projects and Amounts.
 - (b) D-25 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.
22. (a) That the City of Hamilton endorse the Lister Block proposal of Municipal Non-Profit (Hamilton) Housing Corporation which meets strategic municipal and provincial goals of heritage conservation, job creation, housing in the downtown core and business improvement and which is in keeping with the city's downtown revitalization plan, and;
- (b) That the Minister of Housing be requested to provide funding approval for the Lister Block proposal. **ADDED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Jackson, Charters, Anderson, D'Amico, Ross.
-14.

NAYS: Aldermen Copps, Eisenberger, Merling. -3. **CARRIED.**

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1995 April 4**

STREET VENDING LOCATIONS

- * South-east corner of Bay at York Street (Copps Coliseum)
- * North-east corner of King Street East and Catharine Street
- * North side of King Street East, east of James Street
- * East side of Bay Street, south of York Street (Copps Coliseum)
- * South side of York Street at the entrance to the Farmers Market
- In front of Jarvis Square, near Clock Tower, King Street East
- Northeast corner Ferguson Avenue and King Street East
- Southeast corner Catharine and King Street East
- Southwest corner John and King Street East
- * Southwest corner James Street and King Street West
- * Stelco Tower (north side King Street West)
- * City Hall forecourt
- * Courthouse (between Hughson and John Street South)
- Victoria Avenue North and Barton Street East northwest corner
- James Street North and Wilson northeast corner
- James Street South and King Street southeast corner (Royal Bank)
- Forest Avenue and James Street South southeast corner
- Mountain Park Avenue (along the brow behind Henderson Hospital)

Park Locations

Gage
Dundurn
Gore - (no food or beverage carts)
Pier 4 (4 vendors)
Harbourfront (4 vendors)

Note: Locations marked * will be available to tender only if operator in 1994 does not continue for the next three year term.

EVALUATION CRITERIA

1. Quality of Proposal

- completeness of Proposal Form;
- professionalism; and
- complies with submission instructions.

2. The fee for right to sell at site.

3. Capacity to perform

- financial capacity;
- related experience;
- knowledge of local market conditions;
- ability to comply with City Insurance Standards and all licences and permits;
- appropriateness of the goods proposed to be sold in relationship to adjacent businesses or other street vendors; and
- bidder's proposal (goods or food to be sold) does not conflict with adjacent businesses within 300 feet.

4. Location Standards

- bidder's consideration to public safety, vehicular safety and commercial ambience of the street; and
- creation of a map designating proposed vending location within selected site.

5. - types of goods sold and suggested prices.

6. Operational Plan

- proposed daily service hours.

7. Uniform Cart Designs

- ability to meet specifications and guidelines for cart designs;
- attractive to street;
- colourful;
- imaginative;
- durable;
- readily movable by Vendor;
- food cart complies with all health regulations for products proposed for sale; and
- photograph and/or conceptual drawing of the cart.

NATIONAL PACKAGING PROTOCOL

WHEREAS Canada has a National Packaging Protocol designed to reduce packaging waste through voluntary measures and, if necessary, through regulation;

WHEREAS the Government of Canada is a signatory to the National Packaging Protocol (NAPP);

WHEREAS through NAPP, a 21% reduction in packaging waste was achieved through voluntary measures and governments, including municipal governments, and the private sector have already invested heavily in NAPP;

WHEREAS it is prudent to be in the forefront of environmental restrictions on packaging to ensure access to international markets;

WHEREAS Canada has the highest production of domestic waste per capita in the world and a disposal crisis threatens many areas of the country including all of Canada's big cities;

WHEREAS other countries have 50% less packaging waste than Canada and continue to reduce packaging waste;

WHEREAS concerted action through strong Federal leadership is required to address the complex and challenging waste management issues and to achieve a national strategy to reduce the amount of waste we produce in Canada;

WHEREAS NAPP was given the highest priority among environmental issues with the Federation of Canadian Municipalities (FCM);

BE IT RESOLVED that the Council of _____ urge the Federal Government to reaffirm its commitment to NAPP and the targets and policies of the Protocol;

BE IT FURTHER RESOLVED that the Council of _____ urge the Federal Government to recognize through NAPP the importance of environmentally friendly packaging for Canadian products and the Canadian economy.

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FIFTH** Report for 1995 and respectfully recommends:

1. (a) That Senior Management Team accept responsibility for evolving packages which can be prioritized corporately and eliminated from the budget to yield the required \$250,000. reduction, and;
- (b) That Senior Management Team evolve a process to review their current budgets in detail including information on various programs and levels of services being offered and departmental operational plans over the next few months.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE**

S. G. Hollowell, Secretary
1995 April 11

URBAN/MUNICIPAL
CA40N HBL AOS
M21
1995

1995 April 25

KATHY DEITER
Urban Municipal 1
Collection - Library
URBAN MUNICIPAL

Minutes of Hamilton City Council
Tuesday, 1995 April 25
7:30 o'clock p.m.
Council Chamber, City Hall

MAY 1 1995

The Council met:

GOVERNMENT DOCUMENTS

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Wilson, Agostino,
Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross.

Absent: Alderman G. Copps - Bereavement
Alderman H. Merling - Vacation

Mayor R. M. Morrow called the meeting to order.

* * * * *

The National Anthem was sung by Fern Viola, Canadian Remembers Co-ordinator, Veterans Affairs, Canada.

* * * * *

Archdeacon William Sewell, Rector of the Church of the Ascension (retired) led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow welcomed the V.E. Day Celebrations Committee and thanked them for their contribution in planning the V.E. Day Parade and Reception to take place on Monday, 1995 May 8. Mayor R. M. Morrow presented the Hamilton Remembers Scroll to Lt. Colonel H. Denys Rice, Honourary Co-Chairman and Colonel John A Williamson, Chairman of the V.E. Day Celebrations Committee.

Mayor R. M. Morrow presented Certificates of Merit to Peter Oddi, Grade One Student at St. Daniel's School and Alyshia Mahy, Grade Eight Student at St. Jerome's School for winning the poster competition in their respective classes held by the Keep Hamilton Clean Committee. Mayor R. M. Morrow also presented the two students with a copy of their winning poster. Mr. Ron Volterman, Chairman of the Keep Hamilton Clean Committee participated in the presentation.

ADOPTION OF MINUTES

The minutes of the meetings held 1995 April 6 and 11 were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1995 April 12 from A. F. Davidson, Superintendent of Finance for the Hamilton-Wentworth Roman Catholic Separate School Board advising of the mill rates.

Received.

2. Letter dated 1995 April 11 from Harp Homes Inc. (Martin Mazza) and Lawrence Vasilak, for changes in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for Blocks "1", "4" and "5", "C" (Urban Protected Residential, etc.) District to "RT-30" (Street Townhouse) District for Block "2", and "AA" (Agricultural) District to "RT-30" (Street Townhouse) District for Block "3", for lands located at Nos. 1471 and 1493 Upper Sherman Avenue, Hamilton, Ontario.

Received.

3. Letter dated 1995 April 19 from Bordon and Elliot, Barrister and Solicitor giving notice of the appeal of the Hamilton Harbour Commission with respect to the Cities Development Charges By-law.

Referred to the Finance and Administration Committee.

4. Petition containing approximately 500 signatures supporting Mayor Morrows position relative to the request of GALA and urging an appeal of the Human Rights Commission ruling.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the City of Hamilton Licensing Committee, be considered in Committee of the Whole with Alderman Agostino in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - TENTH REPORT

Section 12 Re: Alcohol in Parks - various organizations

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Morelli, Drury, Wilson, Agostino, Eisenberger, Charters, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 13 Re: Alcohol in Parks - various organizations

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Morelli, Drury, Wilson, Agostino, Eisenberger, Charters, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 40 Re: Alcohol in Parks - Hamilton Hornets Rugby Football Club - Mohawk Sports Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Morelli, Drury, Wilson, Agostino, Eisenberger, Charters, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 42 Re: Gore Park Redevelopment

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Morelli, Wilson, Agostino, Eisenberger, Jackson, Anderson, Ross. -11.

NAYS: Aldermen Kiss, Drury, Charters, D'Amico. -4.

CARRIED.

PARKS AND RECREATION COMMITTEE - ELEVENTH REPORT

Section 2 Re: Scott-MacDonald Limited - Public Pedestrian Access

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico, Ross. -13.

NAYS: Aldermen Agro, Anderson. -2.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - TWELFTH REPORT

FINANCE AND ADMINISTRATION COMMITTEE - TWELFTH REPORT

CITY OF HAMILTON LICENSING COMMITTEE - SECOND REPORT

NOTICE OF MOTION FROM PREVIOUS MEETING

Mayor R. M. Morrow advised that he is tabling indefinitely the Notice of Motion respecting Hamiltons membership into the G.T.A.

ACTING MAYOR FOR THE MONTH OF MAY, 1995

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman T. Anderson be appointed Acting Mayor for the month of May 1995.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the City of Hamilton Licensing Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

BILLS

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills be now read a first time:

D-26, D-27, D-28, D-29, D-30, D-31, D-32, D-33, D-34, D-35, D-36, D-37, D-38, D-39.

Recorded vote on Bill D-30.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross. -14.

NAYS: Alderman D'Amico. -1.

CARRIED.

Recorded vote on all Bills except for Bill D-30.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the following Bills, with Alderman Agostino in the chair. (second reading).

D-26, D-27, D-28, D-29, D-30, D-31, D-32, D-33, D-34, D-35, D-36, D-37, D-38, D-39.

Recorded vote on Bill D-30.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross. -14.

NAYS: Alderman D'Amico. -1.

CARRIED.

Recorded vote on all Bills except Bill D-30.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the following Bills, be adopted:

D-26, D-27, D-28, D-29, D-30, D-31, D-32, D-33, D-34, D-35, D-36, D-37, D-38, D-39.

Recorded vote on Bill D-30.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross. -14.

NAYS: Alderman D'Amico. -1.

CARRIED.

Recorded vote on all Bills except Bill D-30.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

D-26, D-27, D-28, D-29, D-30, D-31, D-32, D-33, D-34, D-35, D-36, D-37, D-38, D-39.

Recorded vote on Bill D-30.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross. -14.

NAYS: Alderman D'Amico. -1.

CARRIED.

Recorded vote on all Bills except Bill D-30.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:55 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz, City Clerk
1995 April 25.

JJS/dg

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **TENTH** Report for 1995 and respectfully recommends:

1.
 - (a) That City Council express its sincere appreciation to the Executive of the International Childrens Games and its volunteers, including the Games Chairperson, and the Games Treasurer, for their outstanding achievements in hosting this most successful event; and,
 - (b) That, as the City will not be sending a team to the 1995 International Children's Games in Slovenia due to political and economic problems in that country, funds in the amount of \$50,000. in Account No. CH55201 78211 be set aside to assist with the preparation of this City's bid for the Canada 2001 Summer Games, should Council decide to proceed; and,
 - (c) That the surplus from the Children's Games of \$42,504. be placed in an account to assist with the preparation of this City's bid for the Canada 2001 Summer Games.
2.
 - (a) That City Council authorize the Director of Culture and Recreation to evaluate the feasibility of the architectural drawings for the Olympic Park Indoor Bocce Courts/baseball clubhouse project in conjunction with the West Mountain Baseball Association and West Mountain Bocce Association; and,
 - (b) That City Council authorize the Treasurer and the Director of Culture and Recreation to provide payment to Zebroski Associates Ltd. Architects for services rendered in the design of the project in an amount not to exceed \$14,600.30, with said funds drawn from the City's contribution of \$123,000. (Account No. CF 629254004) and to issue an Income Tax receipt to the architect for donated services in the amount of \$2,170.; and,
 - (c) That City Council authorize the Director of Culture and Recreation and the City Solicitor to draft the necessary agreements to clarify responsibilities and obligations of the parties relative to this project; and,
 - (d) That the Director of Culture and Recreation be directed to report on the status of this review of feasibility within 90 days.

3. That approval be given to the Director of Culture and Recreation, on behalf of the City, to apply for a grant under The Social Services Employment Program (S.S.E.P.) of the Ontario Training and Adjustment Board, to hire a Museum Preparator for the Hamilton Children's Museum at 35 hours a week for a period of one year.
4. That approval be given to the Director of Culture and Recreation, on behalf of the City, to apply for two Summer Employment Experience Program (S.E.E.P.) Grants with the Ontario Training and Adjustment Board, to hire an Education Assistant for the Hamilton Children's Museum and a Museum Clerk for the Hamilton Museum of Steam and Technology respectively, for a period of 10 weeks at 35 hours a week.
5. That approval be given to the Director of Culture and Recreation on behalf of the City to apply for a grant under the Federal Department of Employment and Immigration Section 25 program to hire three Museum Assistants (two for the Hamilton Museum of Steam and Technology and one for the Hamilton Children's Museum) and a Museum Preparator for the Children's Museum for a period of up to one year.
6.
 - (a) That approval be given to the Director of Culture and Recreation, on behalf of the City, to apply for a Collections Support Grant under the Federal Department of Communications Museum Assistance Program for funding up to an amount of \$40,000. for site security and safety upgrades being undertaken during the second phase of the Dundurn Castle Restoration; and,
 - (b) That any funding received be treated as revenues in addition to the City's capital budget commitment.
7.
 - (a) That approval be given to the Director of Culture and Recreation on behalf of the City to enter into negotiations with staff from Procter and Gamble and interested individuals to acquire a circa 1919 Ammonia Compressor currently located in the Hamilton Procter and Gamble plant; and,
 - (b) That staff develop a proposed plan to house the artifact in a purpose built structure on the museum grounds.
8. That approval as required by Section 26 of Fireworks By-law No. 90-198 and Section 6 1(d) of the Parks By-law No. 77-221 be granted to the Racalmutese Maria S.S. Del Monte Ontario Inc. to hold a fireworks display at Harbourfront Park on Sunday 1995 June 25, no later than 10:30 o'clock p.m. in honour of Maria Santissima Del Monte, subject to the following terms and conditions:

- (a) That a licensed operator be responsible for carrying out the fireworks display; and,
 - (b) That the Racalmutese Maria S.S. Del Monte Ontario Inc. have in place \$5 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as co-insured with a cross liability endorsement; and,
 - (c) That a Special Duty Officer as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the event organizer's expense; and,
 - (d) That the applicant assume the responsibility for all labour-related costs as a result of this the event including set up and clean up; and,
 - (e) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
9. That approval, as required by Section 11 (1) of the Fireworks By-Law No. 90-198, be given to the Durand Neighbourhood Association to hold a Family Style Fireworks Display at Durand Park 1995 May 22, subject to the following terms and conditions:
- (a) That proof of \$5 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton at least 20 days prior to 1995 May 22; and,
 - (b) That Durand Neighbourhood Association comply with all sections of By-law No. 90-198; and,
 - (c) That the Durand Neighbourhood Association agree to indemnify the Corporation of the City of Hamilton for any bodily injury or property damage caused by the fireworks display.
10. That authorization be given to enter into a License Agreement satisfactory to the City Solicitor between the Corporation of the City of Hamilton and Lloyd D. Jackson Square for use of mall space by members of the Hamilton Seniors' Centre and Sackville Hill Seniors' Recreation Centre to promote Seniors programs as well as National Tap Dance Day each Saturday during the month of May.

11. That approval, as required by Section 20 (1) (4) of the Parks By-law No. 77-221, be given to the Canadian Hearing Society to allow an animal in a public park specifically inside Bernie Arbour Stadium on Sunday 1995 May 7, subject to the following terms and conditions:
- (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and bodily Injury is to be submitted 30 days in advance, naming the City of Hamilton as co-insured with a cross liability endorsement; and,
 - (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (c) That a Special Duty Officer if deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (d) That the Concessionaire be contacted to make the necessary arrangements for the provision of food at that location; and,
 - (e) That the Hamilton Society for the Prevention of Cruelty to Animals (H.S.P.C.A.) be advised of this event and be invited to attend in order to monitor the event activities.
12. (a) That approval, as required by Section 24 (1) and Section 5 (b) and Section 11 (1) of the Parks By-law No. 77-221, be given to the organizations as follows:

Food and Non-Alcoholic Beverages and Barbecue at a City Park:

- (i) CYO Athletic Program - 1995 June 9, 10 and 11 - Turner Park
- (ii) Hamilton Challenger Baseball Association - 1995 May 13 - Huntington Park
- (iii) Psychiatric Rehabilitation Programme - 1995 June 21 - Gage Park; and,

Food and Non-Alcoholic and Alcoholic Beverages, and Barbecue at a City Park

- (i) Hamilton Police Association - 1995 July 15 and 16 - Turner Park
 - (ii) Hamilton Wildcats Australian Rules Football - 1995 May 13 - Mohawk Sports Complex; and,
- (b) That approval for the above to sell or provide food and non-alcoholic and/or alcoholic beverages, and/or barbecue at those locations and dates subject to the following terms and conditions:

- (i) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and bodily Injury and proof of \$5 million Liquor Licence Liability Insurance to be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,
- (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
- (iii) That alcoholic beverages be served in a confined area of the Park upon receipt of approval of the Liquor Licence Board; and,
- (iv) That a Special Duty Officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
- (v) That those organizers and their workers who are providing Alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program".

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Morelli, Drury, Wilson, Agostino, Eisenberger, Charters, Anderson, D'Amico, Ross.
-13.

NAYS: Alderman Jackson. -1.

CARRIED.

13. (a) That approval as required by Parks By-law No. 77-221 Section 5 (b), Section 11, Section 12, Section 20 (4) and Section 24 (1), be given to the organizations as follows:

Food, Non-Alcoholic Beverages, Barbecue, Solicit donations and Animals in a Park

- (i) International Christian Bikers Association - Dundurn Park Pavilion - 1995 May 6
- (ii) Scouts Canada - Harbourfront Park 1995 May 13
- (iii) Hamilton Philharmonic Orchestra - Gage Park Bandshell 1995 May 21
- (iv) Wesley Urban Ministries - Pier 4 Park and Harbourfront 1995 June 4
- (v) Hamilton Wentworth Regional Police Law Enforcement - Gore Park 1995 June 8
- (vi) People in Partnership '95 - Pier 4 Park 1995 June 11
- (vii) Ronald McDonald House - Harbourfront Park 1995 June 18

- (viii) Black Women Business and Professional Association - Dundurn Park Pavilion June 18
- (ix) Centre Francais Hamilton Inc. - Pier 4 Park 1995 June 24
- (x) Rotary Club Disabled Children's Picnic/BBQ - Pier 4 Park June 25
- (xi) Celi Family Picnic/BBQ - Dundurn Castle Park Pavilion 1995 June 25
- (xii) Hamilton Folk Arts Heritage Council - Gage Park June 30 - July 3
- (xiii) Creative Arts Inc. - Gage Park 1995 August 11 - 13
- (xiv) Hamilton Philharmonic Orchestra - Harbourfront Park September 4 (rain date: 1995 September 10)
- (xv) Bay Area Jazz Society - Dundurn Park Pavilion September 10; and,

Food, Non-Alcoholic, Alcoholic Beverages, Barbecue and Animals

- (i) St. Demetrios Church - Victoria Park 1995 August 4 - August 7
 - (ii) Festitalia Corporation Family Style Picnic - Harbourfront Park 1995 August 6 (rain date: 1995 August 7)
 - (iii) Greek Orthodox Church - Harbourfront Park August 18, 19 and 20
 - (iv) Hamilton & District Labour Council - Dundurn Park 1995 September 4; and,
- (b) That approval to sell food and non-alcoholic and/or alcoholic beverages, solicit for donations and barbecue at those locations and dates subject to the following terms and conditions:
- (i) That proof of \$2 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury or proof of \$3 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury and proof of \$5 million Liquor Licence Liability Insurance to be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,
 - (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (iii) That Special Duty Officers, as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
 - (iv) That the event be monitored by the City's Special Events/Festival Advisory Team; and,
 - (v) That the Public Works Department's Street Vendors' Program at Gage, Harbourfront, Pier 4, Dundurn and Gore Parks be allowed to remain open throughout the above mentioned events; and,

- (vi) That those organizers and their workers who are providing alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program"; and,
- (vii) That the Hamilton Society for the Prevention of Cruelty to Animals (H.S.P.C.A.) be advised of this event and be invited to attend in order to monitor the events' activities; and,
- (viii) That the Liquor Licence Board be advised that the City of Hamilton deem the above-mentioned events to be held at the above-mentioned sites to be community festivals of municipal significance, and as such, have no objection to the issuance of special occasion permits for these festivals.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Morelli, Drury, Wilson, Agostino, Eisenberger, Charters, Anderson, D'Amico, Ross.
-13.

NAYS: Alderman Jackson. -1.

CARRIED.

14. (a) That approval as required by Parks By-law No. 77-221 Sections 5 and 11 (a), to barbecue, sell food and non-alcoholic beverages in Dundurn Park Pavilion be granted to the following groups/organizations:

- (i) Chinese Community Centre, 1995 Sunday May 7
- (ii) Independent Order of Foresters, 1995 Sunday June 4
- (iii) Canadian Club Picnic, 1995 Thursday June 8
- (iv) Philpott Memorial Church Picnic, 1995 Tuesday June 13
- (v) Hamilton and District Ostomy Barbecue, 1995 June 16
- (vi) Mountain Church of Nazarene Picnic, 1995 Saturday June 17
- (vii) Joybringers Picnic, 1995 Monday June 19
- (viii) Canworkers Retiree Picnic, 1995 Thursday June 22
- (ix) St. Elizabeth Visiting Nurses Picnic, 1995 June 26 and 27
- (x) Chedoke McMaster Hospital, 1995 Wednesday June 28
- (xi) CNIB Picnic, 1995 Wednesday June 7, (rain date June 14)
- (xii) Fisher Family Reunion, 1995 Sunday July 2
- (xiii) Union Gas Retirees Picnic, 1995 Thursday July 13
- (xiv) Canadian Mental Health - Dance, 1995 Friday July 14
- (xv) Canadian Benevolent Society , 1995 Monday July 31
- (xvi) Philpott Memorial Church Service and Picnic, 1995 Sunday August 3

- (xvii) Mercanti Family Picnic, 1995 Sunday August 13
- (xviii) Canadian Mental Health - Dance, 1995 Friday August 18
- (xix) Currie Family Reunion, 1995 Saturday August 19
- (xx) Philpott Memorial Church Service and Picnic, 1995 Sunday August 27
- (xxi) Eastern Canada Highland Dance Alliance, 1995 Saturday September 2;
and,

(b) That the above-noted be subject to the following terms and conditions:

- (i) That proof of \$2 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury to be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,
 - (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (iii) That a Special Duty Officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
- (c) That the event will be monitored by the City's Special Events/Festival Advisory Team; and,
- (d) That the Public Works Parks Vendors Program Vendor be allowed to remain open throughout the events.

15. (a) That approval as required by Parks By-law No. 77-221, Section 5, Section 11 and Section 20 (1) be granted to the North End Children's Centre barbecue, to sell food and non-alcoholic beverages and to have animals in the park during the Rainbow Festival, 1995 July 7 to July 9 inclusive, in Harbourfront Park, subject to the following terms and conditions:

- (i) That proof of \$3 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury to be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,
- (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
- (iii) That a Special Duty Officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

- (b) That the event be monitored by the City's Special Events/Festival Advisory Team, with a post-event report submitted to Committee.
16. (a) That permission be granted as required by Parks By-law No. 77-221 Section 32 (1), to Cruzaders Classic Car Club of Hamilton to use Pier 4 Park to park cars for their "50's Flashback Cruise Nights" that are being held on the following dates:
- (i) 1995 May 19 and 26
 - (ii) 1995 June 2, 9, 16, 23, 30
 - (iii) 1995 July 7, 28
 - (iv) 1995 August 4, 11, 18, 25
 - (v) 1995 September 1, 8, 15; and,
- (b) That the above-noted be subject to the following terms and conditions:
- (i) That proof of \$2 million Comprehensive Liability Insurance for Property Damage and Bodily Injury be provided, same to be submitted 30 days in advance of the event, naming the City as co-insured with a cross liability clause; and,
 - (ii) That the applicant assume responsibility for all labour related charges associated with the event, (set-up, dismantling, clean-up, etc.); and,
 - (iii) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (iv) That the Public Works Department Street Vendors Program, vendors at Pier 4 Park be allowed to remain open throughout the event; and,
 - (v) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
17. That approval as required by Parks By-law No. 77-221, Section 10, 3 (a) be granted to the organizers of the March for Jesus Parade to use Harbourfront Park for a Prayer Rally from 11:00 o'clock a.m. to 12:00 o'clock noon and from 2:00 o'clock p.m. to 3:00 o'clock p.m. immediately following the March for Jesus Parade, being held 1995 May 27, are subject to the following terms and conditions:
- (a) That proof of \$3 million Comprehensive Liability Insurance for Property Damage and Bodily Injury be provided, same to be submitted 30 days in advance of the event and naming the City as co-insured with a cross liability endorsement; and,

- (b) That the applicant assume responsibility for all labour related charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (c) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (d) That the event be monitored by the City's Special Events/Festival Advisory Team, with a post-event report back to Committee.
18. (a) That City Council grant free use to Mr. and Mrs. James Edworthy for the community room at Lawfield Arena on 1995, May 6, from 8:00 o'clock p.m. to 1:00 o'clock p.m., for the purposes of holding a fundraising dance for the purchase of a wheelchair for a neighbour's child subject to the following terms and conditions:
- (i) That this approval be subject to the applicant applying for and receiving a Special Occasion Permit for this time and location; and,
 - (ii) That proof of \$5,000,000. liquor licence liability insurance to be submitted at least one week prior to this function naming the City as co-insured with a cross liability endorsement; and,
 - (iii) That those organizers and their workers who are providing alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program"; and,
 - (iv) That any overtime charges incurred by staff be paid by the applicant; and,
- (b) That the Director of Culture and Recreation be authorized to review the function of these rooms and report back with a policy on the terms and conditions under which future rentals will be accommodated.
19. That approval be granted to the International Society of Arboriculture to use Gage Park to host the "Tree Climbing Jamboree", 1995 June 10 from 8:00 o'clock a.m. to 5:00 o'clock p.m., with a rain date of 1995 June 11 subject to the following terms and conditions:
- (a) That insurance, in the amount of \$2 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross liability, and 30 days notice of cancellation, be provided; and,

- (b) That the applicant assume responsibility for all labour-related costs as a result of this event i.e. clean-up; and,
 - (c) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
20. That approval as required by Parks By-law No. 77-221, Section 32 be granted to the Hamilton Wentworth Creative Arts Inc. to use Kay Drage Park for parking of vehicles for the Earthsong Festival that is being held at Princess Point on 1995 June 30 to July 3 inclusive, subject to the following terms and conditions:
- (a) That proof of \$3 million Comprehensive Liability Insurance for Property Damage and Bodily Injury be provided, same to be submitted 30 days in advance of the event and naming the City as co-insured with a cross liability endorsement; and,
 - (b) That the applicant assume responsibility for all labour related charges associated with the event, (set-up, dismantling, clean-up, etc.); and,
 - (c) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicants expense; and,
 - (d) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
21. That permission be granted to The Dragon Boat Races International Inc. to use Harbourfront Park for the Dragon Boat Racing Competition to be staged on Saturday 1995 June 10 and Sunday 1995 June 11 subject to the following conditions:
- (a) That proof of the following insurance be provided and submitted thirty (30) days prior to the event, indicating the City as the additional insured, subject to a cross liability clause and satisfactory to the City Solicitor:
 - (i) Comprehensive General Liability in the amount of \$5 million per occurrence including various hazards, satisfactory to the City; and,
 - (ii) Owned and Non-Owned Watercraft Liability to a minimum of \$5 million per occurrence; and,
 - (iii) Garage Liability in the amount of \$5 million per occurrence; and,
 - (iv) Tenant Legal Liability in the amount of \$5 million per occurrence; and,

- (v) Insurance, in the amount of \$5 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross liability, and 30 days notice of cancellation, be provided; and,
 - (b) That Dragon Boat Races International enter into a Licence Agreement satisfactory to the City Solicitor; and,
 - (c) That Special Duty Officers and/or Marine Police as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (d) That the application notify and adhere to the regulations of the Hamilton Harbour Commission; and,
 - (e) Event organizers adhere to the Public Works/Parks Division Signage Guidelines/specifications for advertising and promotion events; and,
 - (f) That the Public Works Department Street Vendors program at Pier 4 Park and Harbourfront Parks be allowed to remain open throughout the event; and,
 - (g) That the event be monitored by the City's Special Events/Festival Advisory Team, with a post-event report submitted to Committee.
22. That approval as required by Parks By-law No. 77-221, Section 32 be granted to the St. Nicholas Serbian Orthodox Church to use the undeveloped portion of city-owned lands north of 149 Nash Road for parking of vehicles for the S.N.F. Basketball Tournament, that is being held at McMaster University 1995 May 18 - 21 inclusive, subject to the following terms and conditions:
- (a) That proof of \$2 million Comprehensive Liability Insurance for Property Damage and Bodily Injury be provided, same to be submitted 30 days in advance of the event and naming the City as co-insured with a cross liability endorsement; and,
 - (b) That the applicant assume responsibility for all labour related charges associated with the event, (set-up, dismantling, clean-up, etc.); and,
 - (c) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (d) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.

23. That approval, as required by Section 5(b) and Section 11 (a) and (c) of Parks By-law No. 77-221 be given to the Crown Point Community Council to barbecue, sell food and merchandise at a summer celebration at St. Christopher's Park on 1995 June 3 subject to the applicant providing the City of Hamilton proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured.
24. That approval be granted to The Elizabeth Fry Society to rent the ice at Lawfield Arena on 1995 May 12, from 1:00 o'clock p.m. to 3:00 o'clock p.m. at the subsidized rate of \$35. per hour for the purposes of holding a children's skate.
25. That permission be granted to charge green fees on a buy three (3) get one (1) free basis for the Hamilton Tiger Cat Alumni Association Annual Golf Tournament to be held at either Chedoke or King's Forest Golf Course, 1995 June 6, June 7 or June 8 (exact day and location to be determined).
26. That permission be granted to charge green fees on a buy two (2) get one (1) free basis for a charity golf tournament for the Heart and Stroke Foundation to be held at the Chedoke Golf Course on 1995 June 29.
27. That permission be granted to waive the green fees for the Canadian Cancer Society's "Longest Day of Golf" to be played on 1995 June 21 at King's Forest and Chedoke Golf Courses.
28.
 - (a) That permission be granted to defer rental fees for two sets of portable bleachers for the VE Day Celebrations Parade to be held 1995 May 8; and,
 - (b) That the applicant assume responsibility for all labour and equipment charges associated with set-up and dismantling of the portable bleachers; and,
 - (c) That the City Solicitor prepare a rental agreement between the Parade Committee and the City satisfactory to the Board of Education.
29. That a purchase order be issued to Graybar Electric (Ontario) Ltd., Hamilton for the supply and delivery of light fixtures as and when required during 1995 for various parks being the lowest of three tenders received in accordance with specifications C15-2-95 issued by the Purchasing Division and Vendor's tender and be financed from Stock Account CH56197 60999.

30. (a) That the City of Hamilton lease from the Regional Municipality of Hamilton-Wentworth approximately 3.2 hectares of Regional land on top of the Garth Street Water Reservoir for parks purposes; and,
- (b) That the Lease contain the following terms and conditions:
- (i) Term - Commences 1995 May 15 and terminates 1998 May 14; and,
 - (ii) Rental Rate - \$1. per year plus taxes, if any, to be credited to Account No. CH5X921 00102 (Reserve for Property Purchases - Parks); and,
 - (iii) All costs for construction and maintenance (including grass cutting of the leased area - 3.2 hectares,) are the responsibility of the City; and,
 - (iv) The City shall not interfere with the Region's operation of the Water Reservoir located on the said land; and,
 - (v) All construction drawings shall be subject to approval of the Commissioner of Transportation and Environmental Services prior to commencement of construction; and,
 - (vi) the Lease shall be in a form satisfactory to the City Solicitor; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute the Lease; and,
- (d) That staff be authorized to construct a cricket pitch, a mini soccer field, parking area and temporary storage building at the Garth Street Water Reservoir.
31. (a) That a legal agreement satisfactory to the City Solicitor be entered into between the City of Hamilton and the Federal Department of Fisheries and Oceans such that the City will undertake landscape planting for the lands adjacent to the carp barrier/fishway access roadway; and,
- (b) That the Treasury Department establish an account to which the Federal Department of Fisheries and Oceans funds will be deposited; and,
- (c) That the Mayor and the City Clerk execute the contract on behalf of the City.

32.
 - (a) That a legal agreement satisfactory to the City Solicitor be entered into between the City of Hamilton and the Federal Department of Fisheries and Oceans such that the City will construct the electrical power feeders 600/247V for the carp barrier/fishway at the Desjardins Canal; and,
 - (b) That the Treasury Department establish an account to which the Federal Department of Fisheries and Oceans funds will be deposited; and,
 - (c) That the Mayor and the City Clerk execute the contract on behalf of the City; and,
 - (d) That the City of Hamilton enter into easement agreements with the Royal Botanical Gardens, C.P. Rail and Ministry of Transportation to permit construction of the hydro service across their respective lands; and,
 - (e) That a purchase order be issued to Ark-Tech Contracting Ltd. in the amount of \$102,829.85 including all taxes, and a contingency allowance to supply and install the power feeders, 600/247V for the carp barrier/fishway at the Desjardins Canal.
33.
 - (a) That staff be authorized to proceed with the redevelopment of Kay Drage Park consisting of the following components: expansion to an existing parking lot, construction of two new parking areas, relocating an existing soccer field and construction of two new ball diamonds; and,
 - (b) That a maximum of \$3,500. be allocated from the current Account No: CH62112 - Ball Diamonds - Maintenance Section, for the construction of the baseball infields.
34.
 - (a) That the City of Hamilton lease from the Hamilton Board of Education 3.83 ha. (more or less) of land fronting on the south side of Broughton Avenue within the Broughton East Neighbourhood as outlined in Appendix "A" for the sum of \$1. per annum for a term of 10 years, for use as park land; and,
 - (b) That an area of the leased site, measuring 85m x 50m located at the north-east corner of the subject site, be developed as a neighbourhood park component and include the following components: multi-purpose court, creative play structure and swing area, spray pad, drinking fountain, sun shelter, asphalt pathways, lights and site furniture; and,
 - (c) That the lease incorporate the following terms:
 - (i) The neighbourhood park development be restricted to the said north-east corner measuring 85m x 50m; and,

- (ii) The City may terminate the lease on six month's notice; The Board of Education may terminate the lease on six months' notice if the land is required in the future for Board purposes, and in such an event, the City's construction shall be removed by/at the City's expense, unless otherwise agreed by the City and the Board; and,
 - (iii) The City shall grade and seed the complete site for active use such as soccer and baseball; and,
 - (iv) All costs for construction and maintenance are the responsibility of the City of Hamilton; and,
 - (v) All construction drawings shall be submitted to the Board for revision and acceptance prior to commencement of construction; and,
 - (vi) The City shall maintain public liability insurance; and,
 - (d) That the City Solicitor be authorized and directed to prepare the Lease for this park and that the Mayor and City Clerk be authorized and directed to execute the Lease.
35. (a) That the City of Hamilton construct a Volleyball Court in the south-east corner of Scott Park adjacent to Scott Park Secondary School; and,
- (b) That a maximum of \$2,000. be allocated from current Account No. CH62102 - General Park Maintenance for construction of the volleyball court.
36. (a) That the City of Hamilton terminate the Lease Agreement at Main Street West and Ewen Road with Ontario Hydro; and,
- (b) That the existing billboard be sold to Mediacom Inc. for the sum of \$1. and proceeds be credited to Account No. CH5X923 00102 (Reserve for Property Purchases - Other Expenses Transportation); and,
- (c) That the City Solicitor be authorized and directed to discharge this Lease Agreement with Ontario Hydro and execute a Release with Mediacom Inc.

37. That in respect of the temporary drainage easement granted to the City by Chedoke Health Corporation on 1992 February 26 (Instrument No. 112390) for drainage of the Twin Pad Arena site on Chedmac Drive, that the Mayor and City Clerk be authorized and directed to execute documents necessary, in a form satisfactory to the City Solicitor, to release that portion of the City's drainage easement not required for Twin Pad Arena drainage, described as Part 2, 62R-13157.
38. That the registration fee for the Department of Culture and Recreation Summer Rowing Instruction Program be increased from \$35. to \$50.
39. (a) That approval be given for the selection of Tor Lukasik-Foss as the commissioned artist for the Lawfield Arena mural project; and,
(b) That approval be given for the amount of \$2,400. to be the City's portion of the project, funded from Account No. CF5200 709441025 of the Public Art Programme Budget.
40. That approval be granted to the Hamilton Hornets Rugby Football Club to sell alcoholic beverages at Mohawk Sports Park on the following dates, by Special Occasion Permits only, and in accordance with the terms and conditions of the Licence Agreement, between the City and the Club, as approved by City Council at its meeting of 1995 March 28.

(a) Saturdays, May 6, 13, 27	1:00 p.m. to 9:00 p.m.
(b) Monday May 15	4:00 p.m. to 12:00 midnight
(c) Wednesday June 7	6:00 p.m. to 10:00 p.m.
(d) Saturdays June 3, 17, 24	1:00 p.m. to 9:00 p.m.
(e) Saturdays July 8, 15, 22	1:00 p.m. to 9:00 p.m.
(f) Saturdays August 5, 12, 19, 26	1:00 p.m. to 9:00 p.m.
(g) Saturdays September 9, 23, 30	1:00 p.m. to 9:00 p.m.
(h) Saturdays October 7, 14, 21, 28	1:00 p.m. to 9:00 p.m.
(i) Saturday November 4	1:00 p.m. to 9:00 p.m.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Morelli, Drury, Wilson, Agostino, Eisenberger, Charters, Anderson, D'Amico, Ross.
-13.

NAYS: Alderman Jackson. -1.

CARRIED.

41. (a) That approval as required by Parks By-law No. 77-221 Section 11 (c) be granted to Adventure Attic to host the Annual Tent Display, 1995 May 12 to 13, in Gore Park, subject to the following terms and conditions:
- (i) That proof of \$3 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,
 - (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (iii) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
- (b) That the event be monitored by the City's Special Events/Festival Advisory Team.
42. (a) That approval be given to proceed with the replacement of the walkways in Gore Park from James Street South to Catharine Street South with concrete paving as shown on the concept drawings attached as Appendix B"; and,
- (b) That approval be given to remove the armourstone wall for its full length and fill in the depressed grass bowl in the centre of the first block to accommodate the recreation of the original fountain by The Head-of-the-Lake Historical Society; and,
- (c) That approval be given to relocate the eight (8) trees in the first block between James Street North and Hughson Street North, as shown on the drawing attached as Appendix "C", to municipal properties, and that new trees be used to replace the relocated trees; and,
- (d) That approval be given to remove the existing fountain on the west side of Hughson Street and reconstruct this area with a flower bed as shown on the drawing attached as Appendix "B"; and,
- (e) That the Regional Municipality of Hamilton-Wentworth be requested to tender and inspect the work in Gore Park as part of its contract for the reconstruction of the south leg of King Street East between Hughson Street and John Street, and that the costs for the construction work and engineering services be charged to Capital Account No. CF5200 629543010.

- (f) That staff be directed to hold a public information session in order that the general public be made aware of the proposed alterations to Gore Park.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Morelli, Wilson, Agostino, Eisenberger, Jackson, Anderson, Ross. -11.

NAYS: Aldermen Kiss, Drury, Charters, D'Amico. -4. **CARRIED.**

43. That staff be authorized to proceed with application under the Hamilton-Wentworth and Niagara Inter-Regional Trails Program to secure Provincial funding towards the expansion of the City's Trail network.
44. That staff from the Culture and Recreation Department (Culture Division) and Public Works Department (Parks Division) be authorized to explore with relevant stakeholder groups potential permanent locations for the Dundurn Aviary in the Harvey Park and Dundurn Park Area.
45. (a) That the "Stable Washrooms" be closed during the construction period of the Dundurn Castle Phase Two Restoration Project commencing 1995 May 1; and,
- (b) That staff be directed to design washrooms which are accessible to the general public as part of the overall restoration project; and,
- (c) That temporary public washroom facilities be provided at Dundurn Castle during the construction period of the Restoration project.

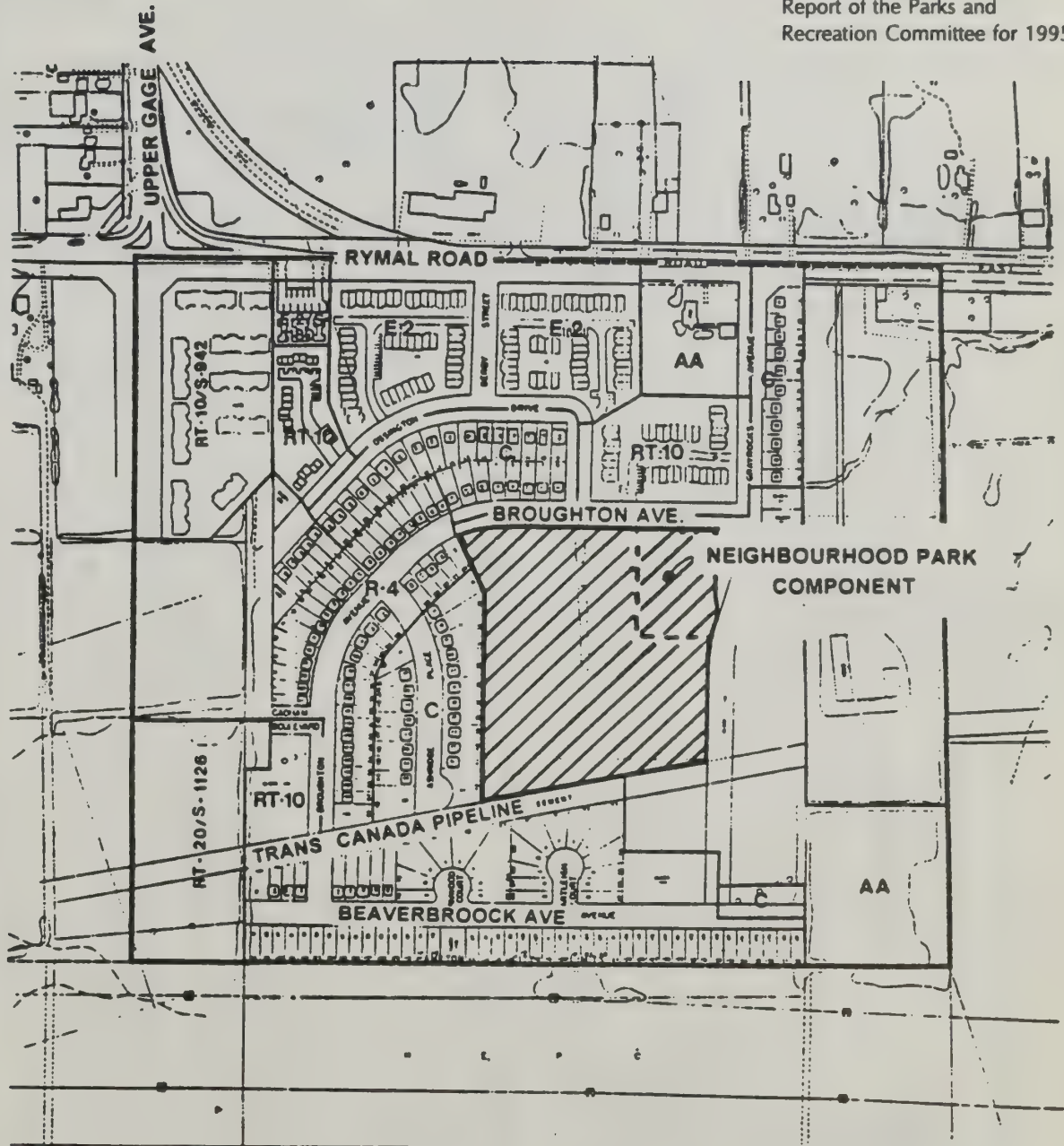
Respectfully Submitted,

**ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson
Secretary**

1995 April 18

Appendix "A" as referred to
in Section 34 of the TENTH
Report of the Parks and
Recreation Committee for 1995



PUBLIC SCHOOL BOARD
PROPERTY



Project

PUBLIC SCHOOL BOARD PROPERTY

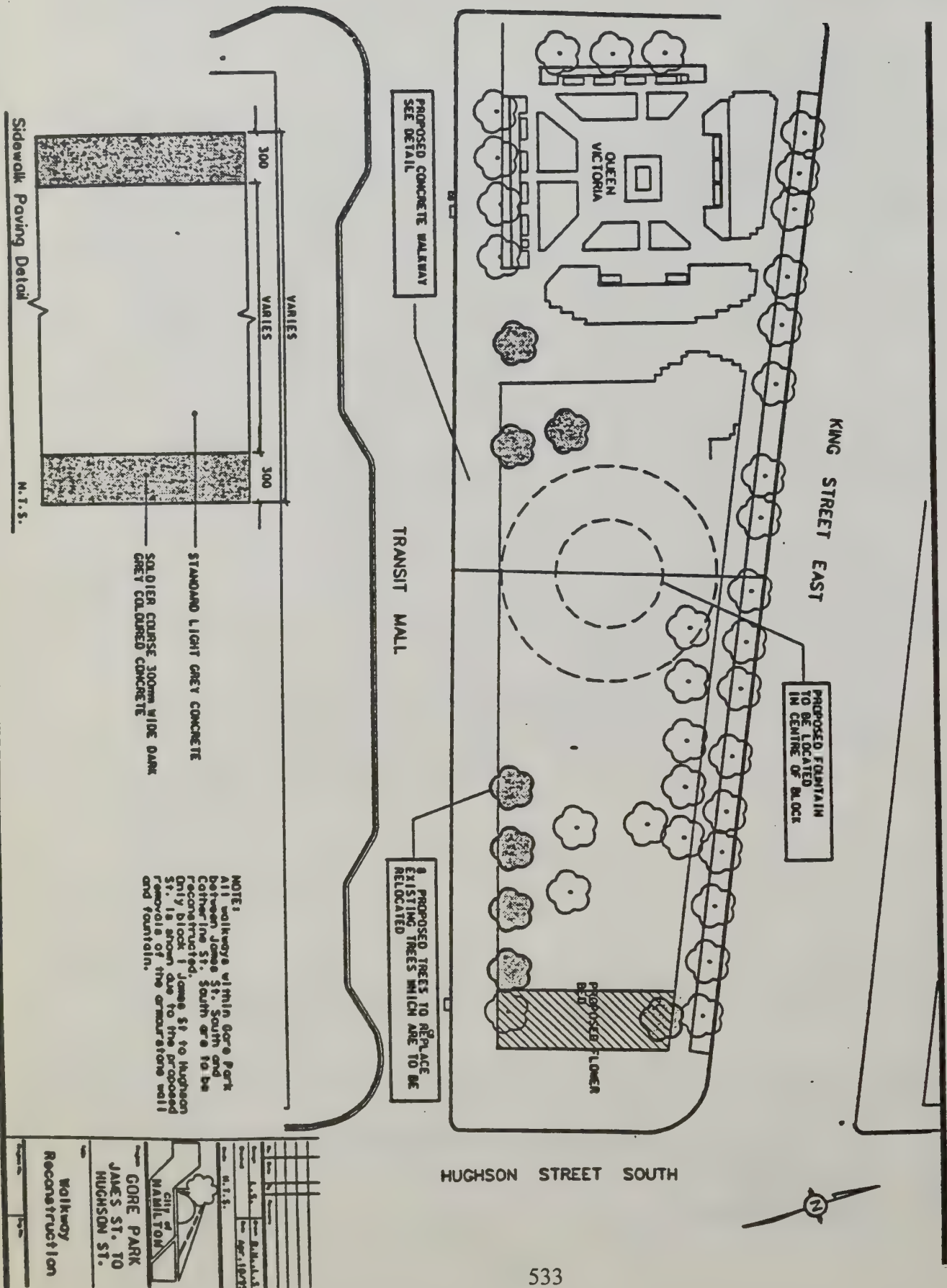
Title

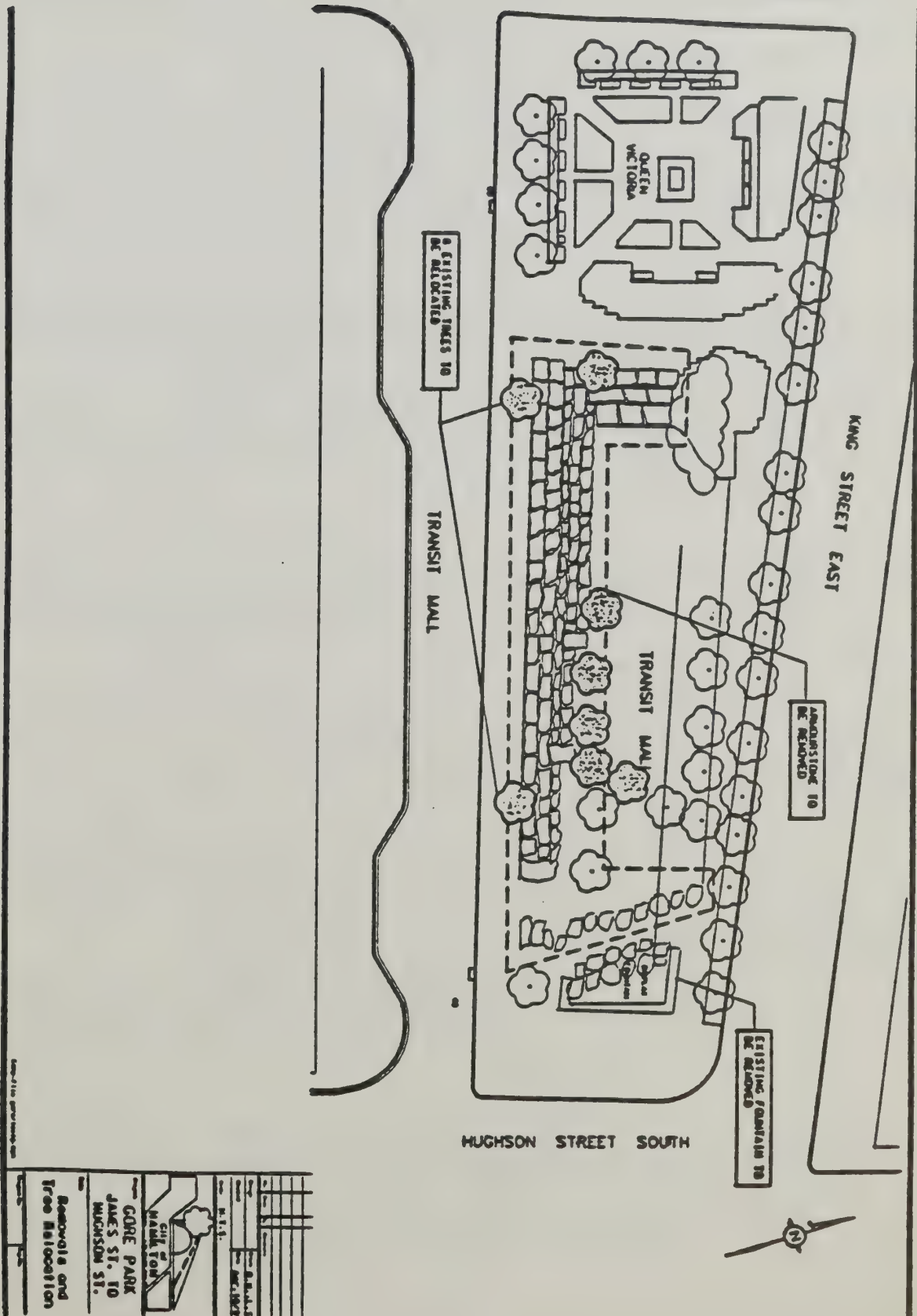
Date **APRIL 95**

Scale **M.S.**

Dwg. No.

JAMES STREET SOUTH





REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **ELEVENTH** Report for 1995 and respectfully recommends:

1. (a) That Council approve a reduced billing rate of \$50. per hour for Board of Education swim instruction classes at City-owned pools for the remainder of 1995; and,

(b) That the Director of Culture and Recreation be authorized to negotiate a shared use of facilities agreement with Board Officials for the consideration of the Parks and Recreation Committee by 1995 August.
2. a) That the City renew the lease with Scott-MacDonald Limited on a month to month basis at the current annual rental rate of \$14,400. until 1996 May 31 in its present form subject to the following additional terms and conditions:
 - (i) A public pedestrian access shall be retained by the City extending across that part of the land being leased comprised of the existing asphalt path installed by the City, upon the following terms; and,
 - (aa) access is open to public use weekends (Friday to Sunday) extending from 1995 June 2 to 1995 September 4 inclusive, plus any "long" holiday weekends during the aforementioned months; and,
 - (bb) The hours of access shall be Friday 5:00 P.M. to 10:00 P.M.; Saturday, 9:00 A.M. to 10:00 P.M., Sunday 9:00 A.M. to 10:00 P.M. and on any statutory holiday from 9:00 A.M. to 10:00 P.M.; and,
 - (cc) Access shall be for the sole purposes of enabling the public to pass between Pier 4 Park and Harbourfront Park; and,
 - (ii) During such times the pedestrian access is open to the public,

- (aa) the City shall indemnify the Lessee against any claim which may arise as a result of the public's use of the access, (excepting claims for business losses of the Lessee); and,
 - (bb) the City shall provide, at its cost, one (1) security guard to be stationed along the public access, to control activity thereon.
 - (cc) the City shall provide, at its cost, regular cleanup of debris as a result of the public's use of the access; and,
 - (iii) The City shall provide at its cost five electronic push button access mechanisms to the dock areas and washrooms of MacDonald Marine Limited to provide for increased security to the washrooms and to the waterfront area and boats moored therein from the public access pathway.
- (b) That staff be directed to negotiate a long term lease at a fair market value with the Scott-MacDonald Limited with the provision of permanent 24 hour, seven day a week pedestrian access through the property; and,
 - (c) That if a lease, satisfactory to the City, cannot be negotiated on or before 1995, October 31, the present lease shall terminate 1996 May 31; and,
 - (d) That staff be directed to report back on the lease negotiations and long term plans for the subject property in conjunction with the Waterfront Development Project.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico, Ross. -13.

NAYS: Aldermen Agro, Anderson. -2. **CARRIED.**

Respectfully Submitted,

**ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson, Secretary
1995 April 25**

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWELFTH** Report for 1995 and respectfully recommends:

1. That the Property Department be authorized to make an exploratory Offer to Purchase for the property known as 66-68 King Street East.
2. That the Building Commissioner be authorized to issue a demolition permit for 760 West 5th Street in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.
3. That the Building Commissioner be authorized to issue a demolition permit for 1045 Upper James Street in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Stella Glover
Secretary**

1995 April 25

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWELFTH** Report for 1995 and respectfully recommends:

1. That approval be given to the actions taken by the City Clerk in approving the use of the City Hall Council Chambers and the Aldermen's Lounge on 1995 May 1 - 5 inclusive, for Hearings before the Umpire (a Federal Court of Canada Judge), between the hours of 9:00 o'clock a.m. to 3:00 o'clock p.m. each day.
2.
 - (a) That approval be given to issue a purchase order in the amount of \$235,400. inclusive of G.S.T., (\$15,400.), to commission Solar Roofing and Sheet Metal Ltd. of Toronto, for the replacement of the roof at the Mountain Arena, being the lowest price of seven quotes received in accordance with the specifications issued by the Manager of Purchasing; and,
 - (b) That as the re-roofing of Mountain Arena could take up to 12 weeks to complete, and that this project must commence on or about 1995 May 3, in order to facilitate a Lacrosse tournament that is scheduled to start on 1995 August 1, and in order to meet this time line the selected Contractor must have a Purchase Order immediately so that he can place an order for the required materials. The above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy that states, "An order can be placed upon the approval of two of the following, the Mayor, an appropriate Committee Chairman, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council; and,
 - (c) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor.
3. That the following properties be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law No. 95-049:
 - (a) Parts 1, 3, 4 and 5 on Plan 62R-12941 Lake Avenue at Huckleberry Drive, Hamilton; and,

- (b) Parts 1, 2, 3, 4 and 5 on Plan 62R-7697 Bow Valley, Hamilton.
4. (a) That the Treasurer be authorized to make application to the Minister of Transportation for the City of Hamilton 1995 Normal and Supplementary Requests for Subsidy Monies under the Public Transportation and Highway Improvement Act based on the estimated total and eligible maintenance and construction expenditures (as contained in the 1995 Current and Capital Budgets) and indicated on the Schedule, attached herewith and marked Appendix "A"; and,
- (b) That the Treasurer be authorized to petition the Minister for subsidy payments as necessary; and,
- (c) That the Treasurer be authorized to monitor expenditures during 1995 and incur only minimal 100% dollars to obtain maximum subsidy dollars in the event that a Supplementary Application is not approved.
5. That the listing of Appointments To and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1995 April 7, attached herewith and marked Appendix "B", be approved.
6. (a) That the City of Hamilton host a reception for the Hamilton International Air Show on Friday, 1995 June 16, at a cost of \$5,000.; and,
- (b) That the funding for this expenditure be financed from the Special Civic Receptions and Delegation Hostings Account No. CH 55314 84010.
7. That the owner's cost of the Ontario Municipal Board Hearing relating to 986-988 Upper Wentworth Street in the amount of \$8,000. be financed from the Unclassified Account, Centre No. CH 24201.
8. That the City quit claim and release a parcel of land measuring about 2 feet by 26 feet (Part 6, Plan 62R-8773) at the rear of 499 John Street North to George and Nancy Sterling, the current owners of 499 John Street North.

9.
 - (a) That the Mayor and City Clerk be authorized to execute a Quit Claim Deed to National Steel Car Limited, (owner of 602 Kenilworth Avenue North), to confirm that the City has no right, title, or other proprietary interest in the 602 Kenilworth Avenue North Rail Car Plant; and,
 - (b) That the property being quit claimed is briefly described as Parts 1 to 6 on Reference Plan 62R-12951 and is fully described in Instrument Number 179847, registered on 1994 March 31.
10. That a by-law which amends City of Hamilton Procedural By-law No. 82-203 to comply with the requirements of the Planning and Municipal Act and Statute Law Act, S.O. 1994, as follows, be approved:
 - (a) Amends the Preamble to read: "To Regulate the Proceedings of the Municipal Council and Committees of the City of Hamilton."
 - (b) Amends section 2(1) to include "City Hall" as the place at which City of Hamilton Council Meetings are held.
 - (c) Adds the following as section 29A:

"29A. The Mayor or the Chairperson shall expel any person for improper conduct at a meeting."
 - (d) Repeals section 42 and replaces it with the following:

"42. The release of municipal information shall be governed by the provisions of The Municipal Freedom of Information and Protection of Privacy Act."
 - (e) Repeals section 43 and replaces it with the following:

"43. (1) Meetings of standing Committees and Committees shall be open to the public and no person shall be excluded therefrom except for improper conduct or if the subject matter being considered is:

 - (a) the security of the property of the City of Hamilton or a local Board;
 - (b) personal matters about an identifiable individual, including municipal or local board employees;

- (c) a proposed or pending acquisition of land for municipal or local board purposes;
 - (d) labour relations or employee negotiations;
 - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the City of Hamilton or local board;
 - (f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (g) a matter in respect of which a Council or Committee has authorized a meeting to be closed under another Act.
 - (h) the consideration of a request under the Municipal Freedom of Information Act and the Protection of Privacy Act, if the Council or Committee or Board is designated as head of the institution for the purposes of the Act.
- (2) Prior to holding a meeting, or part of a meeting that is closed to the public, the Council or Committee shall state by resolution:
- (a) the fact of the holding of the closed meeting, and,
 - (b) the general nature of the matter to be considered at the closed meeting.
- (3) A meeting shall not be closed to the public during the taking of a vote.
- (4) Despite subsection 3 and Section 61 (2) of the Municipal Act, a meeting may be closed to the public during a vote if,
- (a) Section 43(1) of this By-law permits the meeting to be closed to the public; and
 - (b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the City or a local Board or persons retained by, or under, contract with the City or a local Board."

(f) Repeals section 44 and replaces it with the following:

"44. The short title of this By-law is "The Procedural By-law"."

(g) Repeals sections 45 and 46.

11. That leave be granted to introduce the following Bills:

- (a) D-26 A By-law to Amend By-law No. 82-203 respecting the Procedural By-law.
- (b) D-27 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1995 April 18**

City of Hamilton
Treasury

Appendix "A" referred
to in Section 4 (a) of the
TWELFTH Report of the
Finance and Administration
Committee for 1995.

**The Public Transportation and Highway Improvement Act
1995 Request for Allocation of Subsidy Monies**

<u>Detail of Expenditure</u> (1)	<u>Estimated</u>		
	<u>Total Expenditure</u> (2)	<u>Eligible Expenditure</u> (3)	<u>Subsidy Dollars</u> (4)
<u>Normal Application</u>			
Maintenance	9,393,970	7,908,060	3,954,030
Construction	8,198,370	4,938,950	2,469,470
	<u>17,592,340</u>	<u>12,847,010</u>	<u>6,423,500</u>
<u>Supplementary Application</u>			
Construction	4,750,780 *	1,880,490	940,240
	<u>4,750,780</u>	<u>1,880,490</u>	<u>940,240</u>
Total Applications	<u>22,343,120</u>	<u>14,727,500</u>	<u>7,363,740</u>

* These expenditures will represent 100% dollars if the Supplementary Application is not approved.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Dean Jamieson	I	Street Sweeper/Flush Operator (D-14)	Public Works	Replacing Mr. T. Warburton - promoted Jan. 02/95	\$36,052.64	March 05/95
Mr. Steve Matthews	I	Signs & Markings Specialist (11-E)	Traffic	Replacing Mr. P. Dubord - promoted, March 06/95	\$29,714.88 to \$32,754.28	March 06/95
Mr. Bruno Perino	I	Traffic Signal Foreman/ Woman (F5)	Traffic	Replacing Mr. O. Meloche - retired, Dec. 31/94	\$46,411.56 to \$48,986.60	March 06/95
Mr. Tom Warburton	I	Foreman/Woman II (F1)	Public Works	Replacing Mr. J. McKay - retired, Dec. 30/94	\$38,074.40 to \$43,763.20	Jan. 02/95

1995 April 25

Prepared April 07, 1995

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Noel Cooper	Senior Systems Analyst	Information Systems	Retired (Early)	22 years, 7 months	March 31/95
Mr. Gerry Ferrell	Zoning Examiner/Code Correlator	Building	Terminated	14 years, 2 months	March 09/95
Ms. Sharon McCallum	Fire Communications Officer Fire		Retired (Early)	13 years, 10 months	March 31/95

Prepared April 7, 1995

Glossary of Terms

Terminated - long term disability

- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **THIRTEENTH** Report for 1995 and respectfully recommends:

1. (a) That the 1995 mill rates for the City of Hamilton be approved, and the mill rates for the Region and Boards of Education be received to be included for billing purposes as detailed on Exhibit "A", Column (6), attached herewith and marked Appendix "A"; and,
- (b) That by-laws to fix the rates of taxation for Municipal, Regional, School, and total rates of taxation for the year 1995 be approved; and,
- (c) That a by-law to levy an annual tax on telephone companies doing business in Ontario be approved.
2. That the 1995 levy by-laws for the seven (7) Business Improvement Areas in the City of Hamilton be approved as follows:

<u>Business Improvement Areas</u>	<u>1995 Levy</u>
Barton General	\$6,000.
Westdale	\$25,000.
International Village	\$46,376.
Ottawa Street North	\$47,500.
Concession Street	\$8,575.
Downtown Promenade	\$84,000.
Main Street West	\$4,400.

3. That leave be granted to introduce the following Bills:
 - (a) D-28 A By-law to fix the Rates of Taxation for Municipal Purposes for the Year 1995.
 - (b) D-29 A By-law to fix the Rates of Taxation for Regional Purposes for the Year 1995.
 - (c) D-30 A By-law to fix the Rates of Taxation for School Purposes for the Year 1995.

- (d) D-31 A By-law to fix the Total Rates of Taxation for Municipal, Regional and School Purposes for the Year 1995.
- (e) D-32 A By-law to levy an Annual Tax on Telephone Companies doing business in Ontario respecting: The Bell Telephone Company of Canada.
- (f) D-33 A By-law to authorize the Levy of a Special Charge in Respect of: Barton Street East #1 Business Improvement Area generally covering both sides of Barton Street from the West Side of Wellington Street to the East Side of Wentworth Street.
- (g) D-34 A By-law to authorize the Levy of a Special Charge in Respect of: Westdale Village Business Improvement Area generally covering King Street West and the Area of the Intersection of Cline Avenue and King Street West and extending to an Area West of Newton Avenue and Sterling Street.
- (h) D-35 A By-law to authorize the Levy of a Special Charge in Respect of: The International Village Business Improvement Area generally covering both sides of King Street East between Mary Street and Wellington Street North.
- (i) D-36 A By-law to authorize the Levy of a Special Charge in Respect of: The Ottawa Street North Business Improvement Area generally covering Ottawa Street North between Main Street East and extending to an Area North of Barton Street East.
- (j) D-37 A By-law to authorize the Levy of a Special Charge in Respect of: The Concession Street Business Improvement Area generally comprised of Lands covering Concession Street between East 18th Street and East 25th Street.
- (k) D-38 A By-law to authorize the Levy of the Special Charges for 1995 for the Downtown Hamilton Business Improvement Area between King William Street, Mary Street, Main Street East and James Street, designated by By-law No. 82-151.

- (1) D-39 A By-law to authorize the Levy of a Special Charge in Respect of: The Main Street West Esplanade Business Improvement Area generally comprised of Lands on the East and West Sides of Main Street West between Locke Street on the West and Queen Street on the East.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1995 April 25**

Appendix "A" referred
to in Section 1 (a) of the
THIRTEENTH Report of the
Finance and Administration
Committee for 1995.

EXHIBIT "A"

City of Hamilton
Treasury

COMPARISON OF COMPONENTS AND TOTAL MILL RATES FOR THE YEARS 1991 TO 1995 INCLUSIVE

Description (1)	1991 (2)	1992 (3)	1993 (4)	1994 (5)	1995 (6)	Increase + Decrease - 1994 to 1995	
						Mills (7)	% (8)
<u>Residential</u>							
City	98.6655	102.5572	104.2203	104.2203	105.1413	0.9210 +	0.88 +
Region	99.6322	103.5133	107.0004	106.9719	110.1432	3.1713 +	2.96 +
Sub Total	198.2977	206.0705	211.2207	211.1922	215.2845	4.0923 +	1.94 +
<u>Education - Elementary</u>							
- Secondary	106.5221	116.9462	117.3363	113.1485	120.0501	6.9016 +	6.10 +
	71.2649	69.1713	72.8626	77.0493	77.3765	0.3272 +	0.42 +
Sub Total	177.7870	186.1175	190.1989	190.1978	197.4266	7.2288 +	3.80 +
<u>Total Mill Rates</u>	376.0847	392.1880	401.4196	401.3900	412.7111	11.3211 +	2.82 +
<u>Non-Residential</u>							
City	116.0771	120.6555	122.6121	122.6121	123.6957	1.0836 +	0.88 +
Region	117.2144	121.7803	125.8628	125.8493	129.5903	3.7310 +	2.96 +
Sub Total	233.2915	242.4358	248.4949	248.4614	253.2760	4.8146 +	1.94 +
<u>Education - Elementary</u>							
- Secondary	125.3201	137.5838	138.0427	133.1159	141.2354	8.1195 +	6.10 +
	83.8410	81.3780	85.7207	90.6462	91.0312	0.3850 +	0.42 +
Sub Total	209.1611	218.9618	223.7634	223.7621	232.2666	8.5045 +	3.80 +
<u>Total Mill Rates</u>	442.4526	461.3976	472.2583	472.2235	485.5426	13.3191 +	2.82 +

Notes: The 1995 mill rates were calculated based on the 1994 unrevised assessment for 1995 taxation.

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **SECOND** Report for 1995 and respectfully recommends:

1. That the Tow Truck Driver Licence application of James N. Punter, 2437 Martin Court, Burlington, be denied.

Confidential background information provided to members of City Council under separate cover.

RESPECTFULLY SUBMITTED

**ALDERMAN D. WILSON
CHAIRPERSON
LICENSING COMMITTEE**

Crystabelle Fobler
Secretary

1995 April 12

URBAN/MUNICIPAL
CAY ON HBL 105
M21
1995

1995 May 9

Minutes of Hamilton City Council
Tuesday, 1995 May 9
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor R. M. Morrow
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

URBAN MUNICIPAL

* * * * *

MAY 15 1995

The National Anthem was played.

* * * * *

GOVERNMENT DOCUMENTS

Major Garnett Cassell, Salvation Army Family Services led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1995 April 25 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1995 April 25 from 891157 Ontario Inc., DeFilipps Design, Stoney Creek, Ontario for removal of the "H" - Holding Provision from the "HH" (Restricted Community Shopping and Commercial) District, modified regulations for land located at No. 1024 Upper Wentworth Street, Hamilton, Ontario.

Received.

2. Application dated 1995 May 1 from Madan Godal Sharma, Simcoe, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-30" (Street Townhouse) District, for lands located at the rear of 914 Upper James Street, Hamilton, Ontario.

Received.

3. Letter dated 1995 May 2 from J. J. Schatz, City Clerk advising of an objection to By-law No. 95-076 respecting the property known as 71 Rymal Road West, Hamilton, Ontario.

Received.

4. Letter dated 1995 May 3 from Mr. Fisher of Fisher's Pier 4 Pub N' Grub respecting an "Outdoor Boulevard Cafe" at the property at 554 James Street North.

Received.

5. Petition containing approximately 300 signatures supporting the application of Fisher's Pier 4 Pub N' Grub for the Outdoor Boulevard Cafe at 554 James Street North.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Agostino in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - SIXTH REPORT

Re: Fisher's Pier 4 Pub'n Grub - Outdoor Boulevard Cafe

It was moved by Alderman Agro and seconded by Alderman McCulloch that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the establishment of an outdoor boulevard cafe at 554 James Street North for Fisher's Pier 4 Pub 'n Grub. **CARRIED.**

* * * * *

Re: Fisher's Pier 4 Pub'n Grub - Outdoor Boulevard Cafe - Referral Back

It was moved by Alderman Jackson and seconded by Alderman Merling that Section 27 of the Sixth Report of the Transport and Environment Committee be referred back.

Recorded vote.

YEAS: Aldermen Kiss, Morelli, Copps, Wilson, Jackson, Merling, Anderson, D'Amico. - 8.

NAYS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Agostino, Eisenberger, Charters, Ross. -9. **LOST.**

* * * * *

Re: Fisher's Pier 4 Pub'n Grub - Outdoor Boulevard Cafe - Approval

It was moved by Alderman McCulloch and seconded by Alderman Agro that the following be added as Section 27 of the Sixth Report of the Transport and Environment Committee for 1995:

27. (a) That the application of 1033291 Ontario Inc., owner of Fisher's Pier 4 Pub' N Grub, to establish an outdoor boulevard cafe at No. 554 James Street North, measuring a total of 350.46 square feet, onto the Wood Street East road allowance, be approved, on a one year trial basis, subject to the following:
 - (i) That the owner enter into a Boulevard Cafe Agreement in a form satisfactory to the Commissioner of Transportation/ Environmental Services and the City Solicitor; and,

- (ii) That owner pay the processing and registration fee of \$958. and first annual encroachment fee of \$320. plus taxes; and,
 - (iii) That the owner provide proof of \$2,000,000. public liability insurance, naming the City of Hamilton and the Region and holding the City and the Region harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,
 - (iv) That the owner occupy the licensed area of the boulevard only from May 1 to October 31 of each year of the agreement, and that all furniture, equipment, etc. be removed from the road allowance at all other times; and,
- (b) That the Mayor and the City Clerk be authorized and directed to execute the Boulevard Cafe Agreement.
- (c) That the licenced area of the Boulevard be restricted to seating for 34 patrons; be allowed to remain open up until 11:00 o'clock p.m.; and that the approval be for a trial period ending 1995 October 31 at which time the issue will be reviewed.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Agostino, Eisenberger, Charters, Jackson, Ross. -10.

NAYS: Aldermen Kiss, Morelli, Copps, Wilson, Merling, Anderson, D'Amico. - 7.
CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - THIRTEENTH REPORT

Section 1 Re: Parking of Large Vehicles

Recorded vote.

YEAS: Aldermen Copps, Wilson, Agostino. -3.

NAYS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.
LOST.

Section 11 Re: Commercial Loan - 401 Main Street West

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - FOURTEENTH REPORT
--

Section 10 Re: Transportation - Grey Cup Festival '96

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. 13.

NAYS: Aldermen Kiss, Copps, Wilson. -3.

CARRIED.

* * * * *

Section 11 Re: R.C.M. Contracting - Purchase Order

It was moved by Alderman McCulloch and seconded by Alderman Morelli that Section 11 of the Fourteenth Report of the Finance and Administration Committee be referred back.

CARRIED.

* * * * *

Section 12 (i) Re: 775 Upper Wentworth Street

It was moved by Alderman Merling and seconded by Alderman Charters

(a) That Sub-section (i) of Section 12 of the Fourteenth Report for 1995 of the Finance and Administration Committee, respecting the possible submission of an unconditional Offer on the property at 775 Upper Wentworth Street, be deleted; and,

(b) That the Offer to Purchase Agreement be amended accordingly.

CARRIED.

Section 15 (d) Re: Bill D-43: A By-law to Authorize the Levy of a Special Charge In Respect of the Barton Street East #1 Business Improvement Area Generally Covering Both Sides of Barton Street from the West Side of Wellington Street to the East Side of Wentworth Street.

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule 8 of the City's Procedural By-law be invoked in order to allow the introduction of a Bill respecting a By-law to Authorize the Levy of a Special Charge In Respect of the Barton Street East #1 Business Improvement Area Generally Covering Both Sides of Barton Street from the West Side of Wellington Street to the East Side of Wentworth Street. **CARRIED.**

* * * * *

Section 15 (d) Re: Bill D-43: A By-law to Authorize the Levy of a Special Charge In Respect of the Barton Street East #1 Business Improvement Area Generally Covering Both Sides of Barton Street from the West Side of Wellington Street to the East Side of Wentworth Street.

It was moved by Alderman Charters and seconded by Alderman Jackson that the following Bill be added as sub-section (d) of Section 15 of the Fourteenth Report for 1995 of the Finance and Administration Committee:

(d) D-43 A By-law to authorize the levy of a special charge in respect of Barton Street East #1 Business Improvement Area, generally covering both sides of Barton Street from the west side of Wellington Street to the east side of Wentworth Street. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

BILLS

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills be read a first time:

A-33, A-34, A-35, A-36.
C-31, C-32, C-33, C-34, C-35, C-36, C-37.
D-40, D-41, D-42, D-43.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross.
-15.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the following Bills, with Alderman Agostino in the chair. (second reading).

A-33, A-34, A-35, A-36.
C-31, C-32, C-33, C-34, C-35, C-36, C-37.
D-40, D-41, D-42, D-43.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross.
-15.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the following Bills, be adopted:

A-33, A-34, A-35, A-36.
C-31, C-32, C-33, C-34, C-35, C-36, C-37.
D-40, D-41, D-42, D-43.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-33, A-34, A-35, A-36.
C-31, C-32, C-33, C-34, C-35, C-36, C-37.
D-40, D-41, D-42, D-43.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:45 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz, City Clerk
1995 May 9

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SIXTH** Report for 1995 and respectfully recommends:

1.
 - (a) That City Council enact the by-law to stop-up, close and retain the public walkway in the Vincent Neighbourhood between Nos. 300 and 304 St. Andrews Drive, more particularly described as Block F on Plan M27; and,
 - (b) That the Commissioner of Transportation/Environmental Services be directed to submit the approved by-law to the Minister of Municipal Affairs for approval; and,
 - (c) That the Director of Property be directed to proceed with the disposition of the said lands; and,
 - (d) That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Act.
2. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Leslie Avenue between West 34th Street and West 35th Street and that the City Traffic By-law No. 89-72 be amended accordingly.
3. That a "No Parking" regulation be implemented on the south and west sides of Templemead Drive commencing at Independence Drive and extending to the south property line of No. 314 Templemead Drive and that the City Traffic By-law No. 89-72 be amended accordingly.
4. That the City Traffic By-law No. 89-72 be amended to allow for the existing "No Stopping" regulation on the north side of King Street West between Cline Avenue North (west leg) and a point 204 feet easterly therefrom.

5. (a) That a "Permit Parking" regulation be implemented on the east side of Park Row North commencing at a point 79 feet south of Roxborough Avenue and extending to a point 21 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Edward Wilcox, No. 114 Park Row North.
6. That the existing "No Parking" regulation on the north and west sides of Highridge Avenue between the north and west property lines of No. 238 Highridge Avenue be shortened such that the regulation commences at the north property line and extends to a point 40 feet east of the west property line of No. 238 Highridge Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.
7. (a) That a "Permit Parking" regulation be implemented on the west side of Caroline Street South commencing at a point 144 feet south of Markland Street and extending to a point 17 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Raymond Howison, No. 310 Caroline Street South.
8. That the Director of Traffic Services be authorized to issue upon request, one time limit exemption permit to each of the first four eligible applicants residing in the apartment building at No. 130 Hunter Street West.
9. That the existing entry in the City Traffic By-law No. 89-72 which provides for a "Wheelchair Loading Zone, 7:00 a.m. to 9:00 p.m., seven days a week" regulation on the south side of Dunsmure Road commencing 25 feet east of St. Clair Avenue and extending to a point 26 feet easterly therefrom, be rescinded.
10. That the existing "Commercial Vehicle Loading Zone, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of Caroline Street South commencing 30 feet north of Charlton Avenue West and extending to a point 36 feet northerly, be revised, such that it is in effect from 9:00 a.m. to 5:00 p.m., Monday to Friday and that the City Traffic By-law No. 89-72 be amended accordingly.

11.
 - (a) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Bonaparte Way be extended 40 feet such that the regulation will commence at a point 84 feet east of the east curb line of Brigade Drive and will extend 120 feet easterly; and,
 - (b) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Bonaparte Way commencing at a point 111 feet east of the east curb line of Corsica Court and extending 31 feet easterly therefrom be revised such that the regulation commences 82 feet east of the east curb line of Corsica Court and extends 29 feet easterly; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
12. That four-way stop control be implemented at the intersection of Windrush Crescent and Lawfield Drive and that the City Traffic By-law No. 89-72 be amended accordingly.
13. That the application of the Golfwood Drive residents to temporarily close a one block area of Golfwood Drive from the intersection of Golfwood Drive and Venetian Drive to the stairs leading to Shawinigan Park on Saturday, 1995 July 1 from 3:00 o'clock p.m. to 12:00 o'clock midnight to hold a street party to celebrate Canada Day, be approved, subject to the following conditions:
 - (a) That prior approval from the Chief of Police or his/her designate, be received; and,
 - (b) That the applicant provide a Certificate of Insurance evidencing \$2,000,000. public liability insurance; that the Corporation of the City of Hamilton is shown as an additional insured; and that the policy provides for cross-liability and severability; and,
 - (c) That the applicant agree, in writing, to hold the Corporation of the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,
 - (d) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,
 - (e) That all barricading be supplied by and at the expense of the applicant; and,

- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer; and,
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
14. That the application of the Ontario Worker's Arts and Heritage Centre to temporarily close Stuart Street between Bay Street and MacNab Street on Sunday, 1995 May 7, from 1:00 o'clock p.m. to 6:00 o'clock p.m. for the official opening of the Centre be approved, subject to the following conditions:
- (a) That the prior approval of the Chief of Police or his/her designate be received, and that such permits or authorizations as may be required by the Chief of Police or his/her designate be obtained; and,
 - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,
 - (d) That all barricading be supplied by and at the expense of the applicant; and,
 - (e) That "Temporary Road Closure" signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant; and,
 - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer; and,
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

- (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
15. That the application of the Boy Scouts/Girl Guides of Canada to temporarily close Locke Street from York Boulevard to Main Street; MacNab Street from Main Street to Hunter Street and Jackson Street from MacNab Street to City Hall parking lot, on Saturday, 1995 May 27, from 8:00 o'clock a.m. to 12:00 noon, for the annual Scouts Canada/Guides Canada Parade be approved, subject to the following conditions:
- (a) That the prior approval of the Chief of Police or his/her designate be received, and that such permits or authorizations as may be required by the Chief of Police or his/her designate be obtained; and,
 - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,
 - (d) That all barricading be supplied by and at the expense of the applicant; and,
 - (e) That "Temporary Road Closure" signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant; and,
 - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer; and,
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

16. That the application of the VE Day Celebrations Committee of City Council to temporarily close Hess Street from Hunter Street West to King Street West; Caroline Street from Hunter Street West to King Street West and Bay Street South from Hunter Street West to King Street West on Monday 1995 May 8, from 10:30 o'clock a.m. to 12:00 o'clock p.m., for the VE Day Celebration Committee Military Parade be approved, subject to the following conditions:
- (a) That the prior approval of the Chief of Police or his/her designate be received, and that such permits or authorizations as may be required by the Chief of Police or his/her designate be obtained; and,
 - (b) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,
 - (c) That all barricading be supplied by and at the expense of the applicant; and,
 - (d) That "Temporary Road Closure" signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant; and,
 - (e) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer; and,
 - (f) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
 - (g) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
17. (a) That the portion of Section 9, of the Ninth Report of the Transport and Environment Committee for 1989 which was adopted by City Council on 1989 April 25, which refers to the approval of the engineering schedules for "Ridgeview Estates - Phase 3", Hamilton, be rescinded; and,
- (b) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated costs of services in:

" RIDGEVIEW ESTATES - PHASE 3 ", Hamilton
(Revised Schedules)

City's Share \$ Nil Subdivider's Share \$ 99,528.35

" WISEMOUNT ESTATES - PHASE 7 ", Hamilton

City's Share \$ Nil Subdivider's Share \$ 50,777.98; and,

- (c) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of "Ridgeview Estates -Phase 3" and "Wisemount Estates - Phase 7", and any other related documents for these Subdivisions subject to the approval of the City Solicitor; and,
 - (d) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plans and Subdivision Agreements have been registered; and,
 - (e) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.
18. (a) That the construction of an independent concrete sidewalk on the south side of Brampton Street between Woodward Avenue and Dunn Avenue be proceeded with as a local improvement at an estimated cost of \$17,560.; and,
- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- (c) That the Director of Public Works be authorized to construct these works once all the necessary approvals have been received.
19. That City Council enact the by-law to authorize construction of local improvements of an independent concrete sidewalk for the following locations:
- (a) On the north side of Stone Church Road from Upper Gage Avenue to approximately 61 m west of Rambo Street (east limit of No. 749 Stone Church Road); from approximately 107 m west of Rambo Street to approximately 222 m west of Upper Sherman Avenue; from approximately 383 m west of Upper Sherman Avenue to approximately 26 m westerly (Hydro property); and,

- (b) On the south side of Stone Church Road from Upper Gage Avenue to approximately 83 m westerly (east limit of No. 41 Epic Place); from Leaway Avenue to Eleanor Avenue; and, from approximately 37 m west of Eleanor Avenue to approximately 30 m east of Ridgemount Drive.
- 20.
- (a) That the construction of an independent concrete sidewalk on the east side of Upper Gage Avenue from Stone Church Road to Quail Drive; from approximately 72 m south of Loconder Drive (south limit of No. 1285) to Loconder Drive and on the west side of Upper Gage Avenue from Stone Church Road to approximately 89.5 m north of Robertsfield Drive (south limit of No. 1304); from approximately 120 m north of Robertsfield Drive (north limit of No. 1300) to Loconder Drive and from approximately 74 m north of Loconder Drive (north limit of No. 1250) to approximately 84 m northerly (north of limit of No. 1232) proceed as a local improvement pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of \$88,000. with a City's Share of \$17,217.50 and Owner's Share of \$70,782.50 all as provided in the 1995 portion of the 1995 - 2004 Capital Budget; and,
 - (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
 - (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,
 - (d) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.
21. That a purchase order be issued in the amount of \$66,281. taxes included to Connon Nurseries, Neil Vanderkruk Holdings Incorporated for the supply and delivery of trees for various sites being the lowest of seven tenders received in accordance with Purchasing Division specifications and be financed from various accounts including Account Nos. CH51697 60999, CH56398 62903, CH56103 61402 and CH56103 60402.
22. That purchase orders be issued in the amounts of \$29,906. to Waterford Crushing, Waterford, for concrete crushing at B. A. Court Yard and for \$78,458. to Hard Rock Paving, Port Colborne, for concrete crushing at Brampton Street Yard being the lowest tenders received in accordance with the Purchasing Division specifications and be financed from Stock Account No. CH56197 60999.

23. That all-way stop control be implemented at the intersection of Upper Kenilworth Avenue and Landron Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.
24. That the existing "Permit Parking" regulation on the south side of Maplewood Avenue which commences at a point 39 feet west of Cedar Avenue and extends to a point 20 feet westerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
25.
 - (a) That City Council approve the 58 proposed transit shelter locations in the City of Hamilton, attached hereto as Appendix "A", as candidate shelter locations for the 1995 Hamilton Street Railway Program; and,
 - (b) That the Hamilton Street Railway install 10 shelters at these candidate locations in the priority indicated by the warrant scores and subject to finalizing the necessary encroachment agreements; and,
 - (c) That the remaining candidate shelter locations which do not receive a shelter through the 1995 Hamilton Street Railway Shelter Program be considered for future years.
26. That leave be granted to introduce the following Bills:
 - (a) A-33 A By-law to Stop-up, Close and Retain the Public Walkway Located Between No. 300 and No. 304 St. Andrews Drive Designated as Block F, on Plan M-27
 - (b) A-34 A By-law to Authorize the construction of Local Improvements as a City Initiative (without petition) under Section 12 of the Local Improvement Act of independent concrete sidewalks
 - (c) A-35 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (d) A-36 A By-law to Amend By-law No. 89-72 to Regulate Traffic
27.
 - (a) That the application of 1033291 Ontario Inc., owner of Fisher's Pier 4 Pub' N Grub, to establish an outdoor boulevard cafe at No. 554 James Street North, measuring a total of 350.46 square feet, onto the Wood Street East road allowance, be approved, on a one year trial basis, subject to the following:

- (i) That the owner enter into a Boulevard Cafe Agreement in a form satisfactory to the Commissioner of Transportation/Environmental Services and the City Solicitor; and,
 - (ii) That owner pay the processing and registration fee of \$958. and first annual encroachment fee of \$320. plus taxes; and,
 - (iii) That the owner provide proof of \$2,000,000. public liability insurance, naming the City of Hamilton and the Region and holding the City and the Region harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,
 - (iv) That the owner occupy the licensed area of the boulevard only from May 1 to October 31 of each year of the agreement, and that all furniture, equipment, etc. be removed from the road allowance at all other times; and,
- (b) That the Mayor and the City Clerk be authorized and directed to execute the Boulevard Cafe Agreement.
- (c) That the licenced area of the Boulevard be restricted to seating for 34 patrons; be allowed to remain open up until 11:00 o'clock p.m.; and that the approval be for a trial period ending 1995 October 31 at which time the issue will be reviewed. **CARRIED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Agostino, Eisenberger, Charters, Jackson, Ross. -10.

NAYS: Aldermen Kiss, Morelli, Copps, Wilson, Merling, Anderson, D'Amico. - 7.
CARRIED.

Respectfully Submitted,

**ALDERMAN B. MORELLI, ACTING CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson
Secretary
1995 May 1**

Appendix "A" as referred to in
Section 25 of the SIXTH
Report of the Transport and
Environment Committee for 1995

1995 Transit Shelter Locations
City of Hamilton

No.	Stop #	On Street	@	At Street	Corner	City	Shelter Type	Total Score	Drawing Name
1	51217	Fennell Ave. E.	@	Upper Wentworth St.	N/E	HAM	AD	88	95SHEL 8
2	60331	Upper Paradise Rd.	@	Stone Church Rd. W.	N/E	HAM	D	85	95SHEL 1
3	51630	Rymal Rd. E.	@	Upper Gage Ave.	S/W	HAM	AD	77	95SHEL 2
4	72318	Barton St. E.	@	Birch Ave.	S/W	HAM	AD	74	95SHEL 3
5	72354	Barton St. E.	@	Shelby Ave.	S/W	HAM	AD	74	n/a
6	72527	King St. E.	@	Fairholt Rd. N.	N/E	HAM	D	74	95SHEL 4
7	72668	Queenston Rd.	@	#640 (Zeller's)	S/Side	HAM	D	74	95SHEL 5
8	51309	Mohawk Rd. E.	@	Upper Wellington St.	N/W	HAM	AD	72	95SHEL 9
9	60123	West 5th St.	op.	Marlowe Dr.	E/Side	HAM	AD	72	95SHEL 6
10	60040	Upper James St.	op.	South Hamilton Sq.	E/Side	HAM	AD	71	95SHEL 7
11	82513	King St. W.	@	Breadalbane St.	N/E	HAM	D	69	95SHEL 19
12	61408	Limeridge Rd. W.	@	#273 Limeridge Rd.	S/Side	HAM	AD	69	95SHEL 10
13	72741	Maplewood Ave.	@	Springer Ave.	N/W	HAM	D	69	95SHEL 11
14	50421	Upper Gage Ave.	@	#877 Upper Gage	E/Side	HAM	CD	67	95SHEL 12
15	50447	Upper Gage Ave.	@	Rymal Rd. E.	N/E	HAM	AD	67	95SHEL 13
16	50316	Upper Sherman Ave.	@	Franklin Rd.	S/W	HAM	D	67	95SHEL 14
17	60118	West 5th St.	@	Mohawk Rd. W.	N/W	HAM	AD	66	95SHEL 15
18	81238	Whitney Ave.	@	Lower Horning Rd.	S/W	HAM	D	66	95SHEL 16
19	80006	James St. N.	@	Murray St. W.	N/W	HAM	AD	64	95SHEL 17
20	50202	Upper Wentworth St.	@	Queensdale Ave. E.	N/W	HAM	D	61	n/a
21	50407	Upper Gage Ave.	@	Brucedale Ave.	S/E	HAM	AD	60	n/a
22	n/a	Upper Wellington St.	op.	Towercrest Dr.	E/Side	HAM	D	60	n/a
23	50240	Upper Wentworth St.	@	Pescara Ave.	N/W	HAM	AD	60	n/a
24	60141	West 5th St.	@	Stone Church Rd. W.	S/E	HAM	D	59	n/a
25	60010	Upper James St.	@	Monarch Rd.	N/W	HAM	AD	58	n/a
26	51242	Fennell Ave. E.	@	Glenford Ave.	S/W	HAM	CD	57	n/a
27	72674	Queenston Rd.	@	#770 Queenston	S/Side	HAM	D	57	n/a
28	50543	Upper Ottawa St.	@	Unsworth Dr.	N/E	HAM	D	57	n/a
29	50140	Upper Wellington St.	@	Stone Church Rd. E.	N/W	HAM	AD	57	n/a
30	72547	King St. E.	@	Wexford Ave.	N/E	HAM	AD	56	n/a
31	50442	Upper Gage Ave.	@	Rymal Rd. E.	N/W	HAM	AD	55	n/a
32	60337	Upper Paradise Rd.	@	Rymal Rd. W.	N/E	HAM	AD	55	n/a
33	81003	Franklin Ave.	@	Longwood Rd.	N/W	HAM	D	53	n/a

1995 Transit Shelter Locations
City of Hamilton

No.	Stop #	On Street	@	At Street	Corner	City	Shelter Type	Total Score	Drawing Name
34	82709	Hunter St. W.	@	Hess St. S.	N/E	HAM	D	53	n/a
35	70707	Gage Ave. N.	@	Beach Rd.	N/E	HAM	AD	52	n/a
36	60401	Sanatorium Rd.	op.	San Brow Building	N/Side	HAM	D	52	n/a
37	72261	Glow Ave.	@	Parkdale Ave. N.	N/E	HAM	D	51	n/a
38	72258	Glow Ave.	@	Parkdale Ave. N.	S/E	HAM	D	51	n/a
39	82414	Strathcona Ave.	op.	Lamoreaux St.	E/Side	HAM	D	50	n/a
40	60233	Garth St.	op.	#1440 Garth St.	E/Side	HAM	D	49	n/a
41	72582	Greenhill Ave.	op.	Monte Dr.	W/Side	HAM	D	49	n/a
42	50153	Upper Wellington St.	@	Brigade Dr.	S/E	HAM	D	49	n/a
43	81114	McMaster Service Rd.	@	Main St. Exit	S/W	HAM	D	48	n/a
44	50445	Upper Gage Ave.	@	Golden Gate Ave.	N/E	HAM	CD	47	n/a
45	50241	Upper Wentworth St.	@	Stone Church Rd. E.	S/E	HAM	AD	47	n/a
46	71424	Beach Blvd.	@	Van Wagner's Beach Rd.	N/W	HAM	D	46	n/a
47	72226	Beach Rd.	@	Albemarle St.	S/W	HAM	D	46	n/a
48	80129	MacNab St. S.	@	Robinson St.	S/E	HAM	D	46	n/a
49	60141	West 5th St.	@	Stone Church Rd. W.	S/E	HAM	AD	46	n/a
50	72584	Greenhill Ave.	@	Tasha Ct.	N/W	HAM	D	44	n/a
51	72152	Burlington St. E.	@	Parkdale Ave. N.	S/W	HAM	D	42	n/a
52	72374	Melvin Ave.	op.	Osborne St.	S/Side	HAM	AD	42	n/a
53	50243	Upper Wentworth St.	@	Balharbour Dr.	N/E	HAM	AD	42	n/a
54	50247	Upper Wentworth St.	@	Elite Dr.	S/E	HAM	AD	42	n/a
55	51115	Queensdale Ave. E.	op.	East 15th St.	N/Side	HAM	D	41	n/a
56	n/a	Upper Sherman Ave.	@	Rymal Rd. E.	N/E	HAM	D	41	n/a
57	n/a	Upper Sherman Ave.	@	Rymal Rd. E.	N/W	HAM	D	41	n/a
58	60133	Chester Ave.	@	West 5th St.	S/W	HAM	D	40	n/a

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRTEENTH** Report for 1995 and respectfully recommends:

1. (a) That approval be given to City Initiative 94-B, respecting the parking of large vehicles in residential zoning districts, on the following basis:
 - (i) That Section 2.(2) J. - Miscellaneous Definitions - Technical be amended by adding the following new definition:

"2.(2) J. (xix) "Recreational Vehicle" includes a vehicle which provides sleeping and other facilities for short periods of time, while travelling or vacationing, designed to be towed behind a motor vehicle, or self-propelled, and includes such vehicles commonly known as travel trailers, camper trailers, tent trailers, pick-up campers, motorized campers, motorized homes, or other similar vehicles."; and,
 - (ii) That Section 18A - Parking and Loading Requirements of Zoning By-law No. 6593, be amended as follows:
 - (1) By renumbering the existing Section 18A(15) as 18A(15)(a); and,
 - (2) By adding a new Section 18A(15)(b), as follows:

"18A(15)(b) Notwithstanding clause 15(a) above, a recreational vehicle may be parked in a residential district provided that:

 - (i) the owner or occupant of a lot in a residential district may park a maximum of one recreational vehicle on any one residential lot; and,
 - (ii) a recreational vehicle shall be located in a rear yard, or interior side yard, or within a fully enclosed building or structure; and,
 - (iii) a recreational vehicle shall not occupy required parking; and,

(iv) a recreational vehicle shall be set back a minimum distance of 1.2 m from any lot line, unless parked within a fully enclosed building or structure;" and,

(b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, for presentation to City Council; and,

(c) That this proposed general text amendment to Zoning By-law No. 6593 is in conformity with the Official Plan for the Hamilton Planning Area.

LOST.

Recorded vote.

YEAS: Aldermen Kiss, Morelli, Copps, Wilson, Jackson, Merling, Anderson, D'Amico. - 8.

NAYS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Agostino, Eisenberger, Charters, Ross. -9.

LOST.

2. (a) That approval be given to City Initiative 94-E for a general text amendment to Zoning By-law No. 6593 with respect to the definitions of "lodging house", "hostel", "residential care facility", "short-term care facility" and "tourist home" on the following basis:

(i) That Subsection 2.(2)A.(xii) of Zoning By-law No. 6593 be amended by deleting the existing definition of "lodging house" and replacing it with the following:

"Lodging House" shall mean a dwelling or building or portion thereof in which lodging is provided for more than 3 persons for remuneration, or the provision of services or both, and the lodging rooms do not have bathrooms and kitchen facilities for the exclusive use of individual occupants, but shall not include the following:

- (1) a hostel
- (2) a hotel
- (3) a public or private hospital
- (4) a nursing home
- (5) a home for the aged or a home for elderly persons
- (6) a tourist home
- (7) a residential care facility
- (8) a short-term care facility; and,

where such facilities are licensed, approved or supervised under a general or special Act other than the Municipal Act.

- (ii) That Subsection 2.(2)A.(x) of Zoning By-law No. 6593 be amended by adding the words "lodging house" after the phrase "except a" in the fourth line of the definition, so that the definition of "Hostel" shall read as follows:

"Hostel" shall mean and include every establishment in which men only or women only are harboured, received or lodged for hire for a single night or for less than a week at one time, except a lodging house, hotel, tourist home, or private hospital; and,

- (iii) That Subsection 2.(2)A.(xi) of Zoning By-law No. 6593 be amended adding the words "lodging house" after the phrase "shall not include a" in the third line of the definition, so that the definition of "Hotel" shall read as follows:

"Hotel" shall mean and include any hotel within the meaning of The Hotel Registration of Guests Act or The Liquor License Act, but shall not include a lodging house, hostel, tourist home, or apartment hotel; and,

- (iv) That Subsection 2.(2)A.(xiiaa) of Zoning By-law No. 6593 be amended by adding the words "lodging house" after the words "foster home" in the second last line of the definition, so that the definition of "Residential Care Facility" shall read as follows:

"Residential Care Facility" means a fully detached residential building occupied by a maximum number of supervised residents as permitted by a district, exclusive of staff, residing on the premises as a group because of social, emotional, mental or physical handicap or personal distress for the purpose of achieving well-being through either one or more programs of self-help, professional care, guidance, supervision not otherwise beneficially available within the resident's own family or if the resident were residing on the premises where,

- (1) the residents are referred to the facility by a hospital, court or government agency; or,
- (2) the facility received all or part of its non-capital funds from a government; or,

- (3) the facility is regulated by or supervised under any Federal or Provincial statute or a Municipal by-law,

but does not include a foster home, lodging house, sanatorium, nursing home or home for the aged; and,

- (v) That Subsection 2.(2)A.(xiiaaa) of Zoning By-law No. 6593 be amended by adding the words "lodging house" after the words "foster home" in the second last line of the definition, so that the definition of "Short-Term Care Facility" shall read as follows:

"Short-Term Care Facility" means a fully detached residential building occupied by a maximum number of supervised residents as permitted by a district, exclusive of staff or a part residential building occupied wholly as to the residential portion of the building by a maximum number of residents as permitted by a district, exclusive of staff, who individually require immediate shelter and assistance for a period normally not exceeding two weeks where,

- (1) the residents are referred to the facility by a hospital, court or government agency; or,
- (2) the facility received all or part of its non-capital funds from a government; or,
- (3) the facility is regulated by or supervised under any Federal or Provincial statute or a Municipal by-law,

but does not include a foster home, lodging house, sanatorium, nursing home or home for the aged; and,

- (vi) That Subsection 2.(2)A.(xiv) of Zoning By-law No. 6593 be amended by adding the words "lodging house" after the words "except a" in the last line of the definition, so that the definition of "Tourist Home" shall read as follows:

"Tourist Home" shall mean a dwelling in which men and women are harboured, received or lodged for hire for a single night or for less than a week at one time, except a lodging house, hotel or private hospital.

- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,

- (c) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- 3.
- (a) That Council endorse the "complete application" process including pre-consultation and the use of the "complete application" form established by the Planning Department in regard to development approvals processing as required by the Planning and Municipal Statute Amendment Act; and,
 - (b) That Planning staff be authorized and directed to prepare the appropriate "complete application" forms and, accordingly, revise processes and procedures for Official Plan Amendments, Zoning By-law Amendments, Site Plan Control Applications and Condominium Conversions in accordance with the provisions of the Planning Act, as amended by the Planning and Municipal Statute Amendment Act, including prescribed information as stipulated in the relevant Regulations and the other information and material required to review all development applications; and,
 - (c) That the City of Hamilton, on behalf of the Region, give notice and hold the formal public meeting with respect to Draft Plans of Subdivision; and,
 - (d) That the City Solicitor be directed to prepare a by-law incorporating the necessary amendments to the procedural By-law under Section 105 and 106 of the Municipal Act which delegates the responsibility for holding public meetings to the Planning and Development Committee to include responsibility for public meetings on subdivision applications; and,
 - (e) That the City Solicitor be directed to prepare a by-law defining the components of a "complete application" form in accordance with the Planning and Municipal Statute Amendment Act.
- 4.
- (a) That reductions of security held under Site Plan Agreements be permitted to 50% of the total value of the work required; and,
 - (b) That reductions be dealt with on a request basis; and,
 - (c) That a Two Hundred Dollars (\$200.) administration fee be levied by the Building Commissioner for each security reduction request; and,
 - (d) That reduction requests be reviewed and processed by the Building Department upon the production by the Applicant, at the Applicant's sole expense, of an Engineer's Certificate, satisfactory to the Building Commissioner, which indicates:

- (i) what works are complete; and,
 - (ii) the percentage of the total value of the works under the Site Plan Agreement that have been completed to date; and,
 - (iii) that the amount of security remaining with the City is sufficient to cover the rest of the work required under the Site Plan Agreement; and,
 - (e) That the City's standard Site Plan Agreement be revised accordingly; and,
 - (f) That the above changes to the City's Site Plan Policy be implemented so as to be retroactive to all Site Plan Agreements on a request by the Owner basis.
5. That the Building Commissioner be authorized to issue a demolition permit for 661 Upper Wellington Street in accordance with By-law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.
6. That the Building Commissioner be authorized to issue a demolition permit for 12 Harrison Avenue in accordance with By-law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.
7. (a) That approval be given to application CDM-93-01 (Regional File 25CDM-93002R), Regal Castle Developments, owner, to establish a draft plan of condominium "Limeridge Condominium", located at 870 Upper Wentworth Street, subject to the following condition:
- (i) That this approval apply to the plan prepared by A.J. Clark and Associates and certified by B. J. Clarke, O.L.S., dated February 14, 1995, showing a total of 22 units; and,
 - (b) That the City Clerk be directed to advise the Regional Commissioner of Planning and Development of Council's decision.
8. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearings regarding appeals to the Committee of Adjustment decisions to approve Application Nos. A-95-17, A-95-26 and A-95-33, respecting properties located at No. 149 Graham Avenue South, No. 138 Erie Avenue and No. 114 Royal Avenue, respectively.

9. That a purchase order be issued to Crescan Landscape Contractors, Mount Hope, to provide final lot grading and sodding as and when required during 1995 in various subdivisions, being the lowest of four quotations received in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and be financed through Lot Grading Deficiencies Subdivision Account No. PR5370090.
10. That City Council refer the heritage designation of 28-44 James Street North/5-21 King William Street (The Lister Block) to the Conservation Review Board.
11. (a) That a Commercial Loan in the amount of five thousand, one hundred and eighty-two (\$5,182.) be approved for Creative Arts Inc., 401 Main Street West, Hamilton. The interest rate will be 4 7/8 percent, amortized over ten years; and,
 - (b) That a grant from the Barton Street Revitalization Fund in the amount of five thousand, one hundred and eighty-three (\$5,183.) be approved as a complement to the Commercial Loan.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

12. That leave be granted to introduce the following Bills:
 - (a) C-31 A By-law to Adopt Official Plan Amendment No. 129 Respecting Lands Located at Municipal No. 852 Upper Wentworth Street Within the Bruleville Neighbourhood.
 - (b) C-32 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 852 Upper Wentworth Street.
 - (c) C-33 A By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 852 Upper Wentworth Street.

- (d) C-34 A By-law to Amend Zoning By-law No. 6593 as Amended by By-laws No. 70-259, 73-291, 75-178, 83-169 and 84-101 Respecting Lands Located on the East Side of Upper Ottawa Street Between Carson Drive and Larch Street.
- (e) C-35 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-laws Nos. 70-259, 73-291, 75-178, 83-169 and 84-101 Respecting Land Located at Municipal No. 969 Upper Ottawa Street.
- (f) C-36 A By-law to Designate Land Located at Municipal No. 360 James Street North (241 Stuart Street) as Property of Historic and Architectural Value and Interest.
- (g) C-37 A By-law to Designate Land Located at Municipal Nos. 142, 144, 146, 148, 150, 152, 154, 156 and 160 James Street South as Property of Historic and Architectural Value and Interest.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Stella Glover
Secretary**

1995 May 3

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTEENTH** Report for 1995 and respectfully recommends:

1.
 - (a) That the City resolve Ontario Court (General Division) Small Claims Court Action No. 4106/94 by the payment to the Plaintiff, Victor Pilon, of the sum of \$410., inclusive of all damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Small Claims Court Action No. 4106/94 be dismissed without costs.
2.
 - (a) That the Mayor and City Clerk be authorized to execute an Assignment of Judgment in Ontario Court (General Division) Action No. 2473/83 to the Minister of Financial Institutions for the Province of Ontario, in a form satisfactory to the City Solicitor; and,
 - (b) That the City Solicitor make application to the Motor Vehicle Accident Claims Fund for satisfaction of the Judgment in Ontario Court (General Division) Action No. 2473/83.
3.
 - (a) That approval be given to the action taken by the City Clerk in authorizing Hamilton Artists Inc., to use the Second Floor Foyer, West End, for a display entitled "Boxes by Artists", from Thursday, 1995 April 13 to Friday, 1995 May 5; and,
 - (b) That the City Clerk be granted authority to approve similar use in future years, provided it does not interfere with any other activity.
4. That as referred to in Section 18 of the Sixth Report for 1995 of the Transport and Environment Committee, the construction of an independent concrete sidewalk on the south side of Brampton Street between Woodward Avenue and Dunn Avenue under the Local Improvement Act at an estimated cost of \$17,560. as the City's share be financed from the 1995 Capital Levy (Account Centre No. CH 22002).

5. (a) That the City Solicitor be authorized to prepare an appropriate By-Law to construct an independent concrete sidewalk on the east side of Upper Gage Avenue from Stone Church Road to Quail Drive; from approximately 72 m south of Loconder Drive (south limit of #1285) to Loconder Drive and on the west side of Upper Gage Avenue from Stone Church Road to approximately 89.5 m north of Robertsfield Drive (south limit of #1304); from approximately 120 m north of Robertsfield Drive (north limit of #1300) to Loconder Drive and from approximately 74 m north of Loconder Drive (north limit of #1250) to approximately 84 m northerly (north limit of #1232) under the Local Improvement Act at an estimated cost of \$88,000. as the City's share of \$17,217.50 be financed from the 1995 Capital Levy (Account Centre No. CH 22002) and the balance of \$70,782.50 being the owner's share to be financed by the issuance of debentures for a period not to exceed 20 years; and,
- (b) That application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$70,782.50 for a term not to exceed 20 years for the above project.
6. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/Committe d To Date	Balance Available	Source(s) of Financing
(a) 319041002	Accommodation Requirements - City Hall	\$150,000.	\$149,917.12	\$82.88	RCP
(b) 319151013	Feasibility Study - Co-generation (C.U.P.)	24,500.	23,309.28	1,190.72	Provincial Grant
(c) 319241008	Energy Conservation Projects	100,000.	99,755.62	244.38	Current Budget
(d) 319441010	Norman Pinky Lewis - Replace Roof	125,000.	124,953.00	47.00	RCP
(e) 319441018	Energy Conservation Projects	100,000.	99,918.77	81.23	CL
TOTAL				\$1,646.21	

7. That the Damage Award to the Complainant, Mr. J. Oliver, c/o Ursel & Wilkey (Solicitors) pursuant to the Board of Inquiry Decision 1995 March 6, be satisfied by a City cheque, charged to the Unclassified Expenditures, funded as possible from donations received.
8. (a) That Schedule 22, of Licence By-law No. 93-069, which requires a Transient Trader licence for each location, be amended to reinstate the former definition of a Transient Trader which does not require a business, currently assessed for business taxes, to obtain a Transient Trader licence, but would require one licence for those businesses not on the Assessment Roll, regardless of the number of locations; and,
 (b) That the City Solicitor be authorized to prepare the appropriate by-law.
9. (a) That the loan in the amount of \$20,000. for hosting of the 1995 International Great Lakes/St. Lawrence Mayor's Conference by the City of Hamilton from 1995 June 28-30, be provided on an interest free basis, and be temporarily financed from the Reserve for Contingency, Account Centre No CH 00115; and,
 (b) That the expenditures and revenues for the conference be recorded and controlled within the City's financial records.
10. That transportation considerations estimated at \$20,000. and the Grey Cup Festival '96 estimated at \$1,500,000. to a total of \$1,520,000., \$110,000. of which would be spent in 1995, be temporarily financed on a full cost recovery basis from the Reserve for Working Funds, Account Centre No. CH 00172.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. 13.

NAYS: Aldermen Kiss, Copps, Wilson. -3.

CARRIED.

11. That a purchase order be issued to R.C.M. Contracting Ltd., Hamilton, to supply various maintenance services as and when required by the Real Estate Division of the Property Department and the Building Department during 1995, 1996 and 1997, being the lowest acceptable of the twelve (12) tenders received in accordance with the specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through the Building Department's Property Standards Account No. CH 15411 00001, and the Property Department's Building Repairs - Civic Properties Account No. CH 57301 31106.

Hourly Rate One Person	\$30.
Hourly Rate Two People	\$37.
Hourly Rate Three People	\$44.
Hourly Rate For Rubber Tire Backhoe	

With Operator	\$40.
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REFERRED BACK.

12. (a) That an Offer to Purchase, duly executed by Elite Realty Corp. (R. McDowell, President), on 1995 April 18 and scheduled to close on or before 1995 December 15, for the lands being part of Lot 9, Registered Plan 290, save and except part of said Lot 9, designated as Part 48 on Plan 62R-5049, save and except part of said Lot 9 as described in Instrument No. 16783 C.D., subject to the Licence in favour of H.S.R. over part of said Lot 9, designated as Part 1 on Plan 62R-13022, municipally known as 775 Upper Wentworth Street, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, comprising an area of 0.856 acres, more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of \$250,000. be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases (Sales); and,
- (b) That the required deposit cheque in the amount of \$12,500. be held by the City Treasurer pending Council approval; and,
- (c) That the City makes no representation, warranty, condition either express or implied as to soil or other environmental conditions, services, utilities, fitness for purpose of zoning and building by-laws, park, road widening or other possible dedications, or as to charges, levies and regulation of the City, the Regional Municipality, Utilities or other regulatory authorities; and,
- (d) That the Purchaser acknowledges and agrees that there are no warranties and/or representations by the Vendor and that the Property is being purchased on an "as is" basis except as specifically herein provided. The Purchaser further acknowledges that the Vendor is making no representation or warranties whatsoever with respect to the Property. The Purchaser acknowledges that it has relied entirely upon its own inspection and investigation with respect to quantity and value of the property; and,
- (e) That the Purchaser acknowledges that it has inspected the property and has conducted an independent investigation of present and past uses of the property; and that the Purchaser has not relied on any representations by the Vendor concerning any condition of the property, environment or otherwise; and,

- (f) That the completion of this Offer to Purchaser is conditional on the following:
 - (i) The Purchaser satisfying himself within 30 days of City Council acceptance as to the environmental status of the property; and,
 - (ii) The Purchaser will, at its expense, apply for within 30 days of City Council acceptance of this Offer to Purchase, and obtain a rezoning of the subject lands to allow for general office use. The required rezoning shall include the following:
 - (1) The passing of a by-law by the municipality to rezone the subject property to allow the above-described use; and,
 - (2) The passing of the appeal period for the appeal of the said by-law; and,
 - (iii) If the required as set out in (ii) above has not been completed by the closing date set out in this Offer to Purchase, then this Offer to Purchase shall be null and void and the deposit (including the sum paid for the granting of this Offer) shall be returned by the Owner to the Purchaser without interest, and the Purchaser shall not be liable for any damages or costs; and,
 - (iv) The Owner acknowledges that in approving this Offer to Purchase by the City, the City does not fetter the discretion of the City Council to decide whether to pass a by-law to rezone the subject lands, pursuant to the application set out in (ii) above; and,
- (g) That City Council is under a statutory duty under the Planning Act, 1990, as amended, to consider all the factors set out in that Act, in deciding whether to pass a by-law to rezone the subject lands; and,
- (h) That the Vendor and Purchaser agree that no commission is owing or shall be paid to Elite Realty Corp. or Coldwell Banker Elite Realty Corp., its broker(s), its salesperson(s), and/or assigns in respect to the herein transaction; and,
- (i) deleted. CARRIED.
- (j) That the Purchaser is to be allowed one final inspection of the said property along with the City's Maintenance Department to assist in familiarizing the Purchaser with the day to day operation and maintenance of the building (heating, electrical, plumbing) within 14 days of closing; and,
- (k) That the Vendor agrees to drain stagnant water from the 2 interior drainage outlets on or before closing; and,

- (l) That the Vendor covenants and agrees to allow the Purchaser, its Consultants, Engineers and Architects to enter upon the property from time to time during its normal working hours from and after the date of acceptance of this Agreement by both parties up to the closing date of this Agreement for the purpose of inspecting the property and carrying out such test, surveys and measurements as the Purchaser in his sole discretion and expense deems necessary. The Purchaser agrees that an agent of the Vendor shall attend at such inspections; and,
 - (m) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
 - (n) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (i) Satisfactory notice has been given to the public of the intended sale; and,
 - (ii) An appraisal of the fair market value of the real property intended to be sold was obtained on the 30th day of March 1995; and,
 - (iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
13. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:
- | | |
|----------------|------------------|
| 69 Poulette | 183 Mary |
| 443 Ferguson N | 10 Harvey |
| 15 Harvey | 137 Ewen |
| 192 Robert | 115 King William |
- (b) That a by-law to authorize the said Extension Agreements be presented to City Council for approval; and,
 - (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.
14. That, notwithstanding the provisions of the City of Hamilton Procedural By-law, the City of Hamilton meeting schedule for the months of July and August be revised and amended as per the Schedule, attached herewith and marked Appendix "A".

15. That leave be granted to introduce the following Bills:

- (a) D-40 A By-law to Replace Schedule 22 to Licensing By-law No. 79-323 as Consolidated in By-law No. 93-069 respecting: Transient Vendors.
- (b) D-41 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (c) D-42 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.
- (d) D-43 A By-law to authorize the levy of a special charge in respect of Barton Street East #1 Business Improvement Area, generally covering both sides of Barton Street from the west side of Wellington Street to the east side of Wentworth Street. **ADDED.**

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1995 May 2**

CITY OF HAMILTON

TENTATIVE MEETING SCHEDULE FOR THE MONTH OF JULY, 1995

S	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	S
2	3 CANADA DAY	4 9:30 P. & R. - 233 12:00 Arts Advisory - 219 1:30 F. & A. - 233	4 9:30 P. & D. - 233 3:00 Committee of Adjustment - 219 5:30 Mundialization - 233	6 9:30 T. & E. - 233 1:00 D.A.P. - 233	7	8
9	10 12:00 LACAC - 233 4:00 Sesquicentennial Ctte. - 233 5:00 Football Hall of Fame - 219 6:00 Status of Women-233	11 10:00 Taxi Advisory - 219 12:00 Ham. Historical Board - 233 7:30 City Council	12 3:00 Committee of Adjustment - 219 6:00 Licensing - 233	13 5:00 Mum Show - 233	14 12:00 Crystal Palace - 233	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

1995 May 9

Appendix "A" referred
to in Section 14 of the
FOURTEENTH Report of the
Finance and Administration
Committee for 1995.

CITY OF HAMILTON **TENTATIVE MEETING SCHEDULE FOR THE MONTH OF AUGUST, 1995**

S	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	S
		1	2	3	4	5
6	7 CIVIC HOLIDAY	8	9	10	11	12
13	14 12:00 LACAC - 233 4:00 Sesquicentennial Ctte. 233 5:00 Football Hall of Fame - 219 6:00 Status of Women-233	15 8:00 D.A.P. - 233 10:00 Taxi Advisory - 219 12:00 Ham. Hist. Board - 233	16 12:00 Arts Advisory - 233 3:00 Ctte. of Adj.- 219 5:30 Mundialization -264	17	18	19
20	21 9:30 T. & E. - 233	22 9:30 P. & R. - 233 1:30 F. & A. - 233	23 9:30 P. & D. - 233	24	25 12:00 Crystal Palace - 233	26
27	28	29 7:30 City Council	30 3:00 Ctte. of Adj. - 219	31 5:00 Mum Show - 233		

URBAN/MUNICIPAL
C44 ON HBL A05
M21
1995

1995 May 30

Minutes of Hamilton City Council
Tuesday, 1995 May 30
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

JUN 7 1995

GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Wilson, Copps,
Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Reverend David F. Milne, Rector, Our Lady, Queen of Peace Christian Community led Council in prayer.

PRESENTATION

A Plaque of Appreciation was presented to Mayor R. M. Morrow on behalf of St. Anthony's Feast Committee on the occasion of their 20th Anniversary. In attendance was Nicolo Visentini, President and Rosanna Cook, Secretary.

ADOPTION OF MINUTES

The minutes of the meeting held 1995 May 9 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1995 May 17 from Benemar Construction Inc., Hamilton, Ontario for a change in zoning from "RT-20" (Townhouse-Maisonette) District, modified to "R-4" (Small Lot Single-Family Dwellings) District for lands located at the south-east corner of Upper Wentworth Street and Vineberg Drive, Hamilton, Ontario.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee, be considered in Committee of the Whole with Alderman Agostino in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - SEVENTH REPORT

Section 26 Re: Westdale Village Business Improvement Area's Traffic Islands

It was moved by Alderman Merling and seconded by Mayor Morrow that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the Traffic islands on King Street West between Marion and Paisley Avenues.

CARRIED.

* * * * *

Section 26 Re: Westdale Village Business Improvement Area's Traffic Islands

It was moved by Alderman Merling and seconded by Alderman Anderson that the following be added as Section 26 of the Seventh Report of the Transport and Environment Committee for 1995:

26. (a) That the Director of Public Works be authorized to proceed with the implementation of the revised plan to develop the Westdale Village Business Improvement Area's traffic islands between Paisley and Marion Avenues as shown on Appendix "D", attached herewith;
- (b) That \$18,000 of the total cost of \$44,739 be recovered from Account Number CF5698-428705003 (The Commercial Improvement Programme) **CARRIED.**

* * * * *

Section 26 Re: Westdale Village Business Improvement Area's traffic islands

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 26 of the Seventh Report of the Transport and Environment Committee for 1995 be amended by adding after the words "Appendix D" in the fourth line of subsection (a) the words "at a total cost of \$44,739".

and by adding after the word "cost" in the first line of subsection (b) the words "not to exceed".
CARRIED.

PARKS AND RECREATION COMMITTEE - TWELFTH REPORT

Section 2 (b) Admission - Steam Museum

It was moved by Alderman Copps and seconded by Alderman Wilson that Section 2 (b) of the Twelfth Report of the Parks and Recreation Committee be amended by adding after the word "admission", the words "to the Steam Museum".
CARRIED.

Section 15 Re: Living Rock Ministries - Use of Gage Park

It was moved by Alderman Morelli and seconded by Alderman Drury that Section 15 of the Twelfth Report of the Parks and Recreation Committee for 1995 be referred back.
CARRIED.

* * * * *

Section 16 Re: Regional Municipality of Hamilton-Wentworth - Greater Hamilton Aquafest

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Aldermen McCulloch, Jackson. -2.

CARRIED.

* * * * *

Section 28 Re: Selection Committee

It was moved by Alderman Morelli and seconded by Alderman Eisenberger that Section 28 of the Twelfth Report of the Parks and Recreation Committee for 1995 be amended to delete the words "one other Committee member" in the sixth line and inserting in lieu thereof the words "Alderman Jackson".

CARRIED.

PARKS AND RECREATION COMMITTEE - THIRTEENTH REPORT

Section 1 Re: Hamilton Folk Arts Heritage Council - Gage Park - Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 3 Re: Alcohol in Parks - various locations

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - FOURTEENTH REPORT

Section 13 Re: Zoning Application - 891157 Ontario Ltd. - 1010-1024 Upper James St.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico, Ross. -15.

NAYS: Aldermen Merling, Anderson. -2. **CARRIED.**

* * * * *

Section 18 Re: Barton Street Revitalization

It was moved by Alderman Drury and seconded by Alderman Morelli that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the Barton Street Revitalization. **CARRIED.**

* * * * *

It was moved by Alderman Drury and seconded by Alderman D'Amico that the Fourteenth Report of the Planning and Development Committee for 1995 be amended by adding the following as Section 18:

18. (a) That the budget as outlined in Appendix "P" attached hereto, be approved for a street festival to be held 1995 June 25 as part of the Revitalization of Barton Street; and,
- (b) That the City Treasurer be authorized and directed to forward \$8,666. (\$10,822. - 20% holdback) for the Street Festival to the Barton Street B.I.A. The outstanding balance of \$2,167. to be forwarded upon submission of a statement of account.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - FIFTEENTH REPORT

Section 6 Re: Dismissal of the Ontario Court Action - Vince Formosi

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Jackson was named in the Action.

* * * * *

Section 8 Re: McKenzie Tire Inc., and Beverly Tire Service Ltd. - Purchase Order

Alderman Agro declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Agro does business with one of the company's who bid.

* * * * *

Section 9 (d) Re: Custom House

It was moved by Alderman Charters and seconded by Alderman Jackson that sub-section (d) of Section 9 of the Fifteenth Report for 1995 of the Finance and Administration Committee, be amended to add the following words after the number "31":

"and shall be subject to the rights of the Province, if any, to acquire the Custom House;"
CARRIED.

* * * * *

Section 9 Re: Custom House

It was moved by Alderman Drury and seconded by Alderman Kiss that Section 9 of the Fifteenth Report of the Finance and Administration Committee for 1995 be referred back.

Recorded vote on referral back.

YEAS: Aldermen Kiss, Caplan, McCulloch, Drury, Copps, Eisenberger. -6.

NAYS: Mayor Morrow, Aldermen Agro, Morelli, Wilson, Agostino, Charters, Jackson, Anderson, D'Amico, Ross. -10.
LOST.

Section 9 Re: Custom House - Workers Centre

Recorded vote on Section 9 as amended.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Ross. - 13.

NAYS: Aldermen Drury, Eisenberger, Anderson, D'Amico. -4. **CARRIED.**

* * * * *

Section 17 Re: Use of Council Chambers - Traffic Department

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 17 of the Fifteenth Report of the Finance and Administration Committee for 1995 be deleted which read as follows:

17. (a) That approval be given to the City of Hamilton Traffic Department to use the Council Chambers on Thursday, 1995 June 15 between the hours of 7:00 o'clock p.m. and 9:30 o'clock p.m. for the Annual Awards Presentation to the School Crossing Guards; and,
- (b) That approval be given to the Traffic Department to use the Second Floor Foyer for a reception immediately following the ceremony; and,
- (c) That the City Clerk be granted authority to approve similar use in future years, provided it does not interfere with any other activity. **DELETED.**

* * * * *

Section 30 Re: Bingo Hall - Town of Grimsby

That Section 30 of the Fifteenth Report of the Finance and Administration Committee for 1995 be referred back. **CARRIED.**

* * * * *

Section 32 Re: City of Burlington - LaSalle Park Pavilion

It was moved by Alderman Wilson and seconded by Alderman Eisenberger that Section 32 of the Fifteenth Report of the Finance and Administration Committee for 1995 be referred back. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - SIXTEENTH REPORT

NOMINATING COMMITTEE - FOURTH REPORT

ACTING MAYOR FOR THE MONTH OF JUNE, 1995

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman D. Ross be appointed Acting Mayor for the month of June 1995.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

BILLS

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills be now read a first time:

A-37, A-38, A-39, A-40.
B-2, B-3.
C-38, C-39, C-40, C-41, C-42.
D-44, D-45, D-46.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the following Bills, with Alderman Agostino in the chair. (second reading).

A-37, A-38, A-39, A-40.
B-2, B-3.
C-38, C-39, C-40, C-41, C-42.
D-44, D-45, D-46.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the following Bills, be adopted:

A-37, A-38, A-39, A-40.
B-2, B-3.
C-38, C-39, C-40, C-41, C-42.
D-44, D-45, D-46.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-37, A-38, A-39, A-40.
B-2, B-3.
C-38, C-39, C-40, C-41, C-42.
D-44, D-45, D-46.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:00 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz, City Clerk
1995 May 30.
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SEVENTH** Report for 1995 and respectfully recommends:

1. That a "No Parking" regulation be implemented on the east side of Spring Street commencing at a point 124 feet north of Jackson Street East and extending to a point 24 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
2. (a) That a "Permit Parking" regulation be implemented on the west side of Paling Avenue commencing at a point 117 feet north of Vansitmart Avenue and extending to a point 23 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Director of Traffic Services be authorized to issue one parking permit to Ms. Emily Lampman, No. 407 Paling Avenue.
3. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first ten eligible applicants residing in the apartment complex at Nos. 145 - 149 Hess Street South.
4. (a) That a "Permit Parking" regulation be implemented on the west side of Grosvenor Avenue North commencing at a point 392 feet south of Barton Street East and extending to a point 24 feet southerly therefrom and on the east side commencing at a point 389 feet south of Barton Street East and extending to a point 29 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Frank Whitelaw, No. 291 Grosvenor Avenue North.
5. (a) That a "Permit Parking" regulation be implemented on the west side of East Bend Avenue North commencing at a point 44 feet south of Cannon Street East and extending to a point 21 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

- (b) That the Director of Traffic Services be authorized to issue one parking permit to Ms. Mavis Letten, No. 1024 Cannon Street East.
-
- 6.
 - (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Colbourne Street which commences at MacNab Street North and extends to a point 94 feet easterly therefrom be replaced with a "Permit Parking" regulation and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Director of Traffic Services be authorized to issue upon request, one parking permit to the residents of Nos. 17, 19, 21, 22 Colbourne Street and two parking permits to the resident of No. 24 Colbourne Street, to a maximum of six permits on a first come first served basis.
-
- 7.
 - (a) That an "Alternate Side Parking" regulation be implemented on King's Forest Drive such that parking is prohibited:
 - (i) on the west side of the street commencing at a point 68 feet north of Nova Drive and extending to a point 20 feet northerly therefrom, during the months of December, January, February and March and from the 1st to the 15th of April, May, June, July, August, September, October and November; and,
 - (ii) on the east side of the street between Nova Drive and a point 92 feet northerly therefrom from the 16th to the last day of April, May, June, July, August, September, October and November; and,
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
-
- 8. That the application of Sharon Raven, General Manager of the Rosslyn Retirement Home, No. 1322 King Street East to lease a portion of the boulevard of Rosslyn Avenue South adjacent to No. 1322 King Street East be approved, provided that:
 - (a) the application pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$60.82 per space per year) plus taxes, if any, in addition to the \$10. encroachment insurance charge approved by the City Council on 1984 February 14; and,
 - (b) the owner pays a one time (\$50. registration fee, as approved by the City Council on 1986 January 14; and,

- (c) the owner pays a one time \$214. processing fee (including G.S.T.), as approved by the City Council on 1988 January 12; and,
- (d) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes; and,
- (e) the driveway approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense; and,
- (f) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

9. That the City Treasurer be directed to close the following two capital project accounts with the excess funding to be transferred to its original source of funding:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To-Date	Balance Available	Source of Funding
759351007	Traffic Signal - Limeridge Mall East Exit	\$65,000.	\$43,206.90	\$21,793.10	Reserve for Capital Projects
759449010	Pedestrian Priority Traffic Signals	\$60,000.	\$38,571.90	\$21,428.10	Reserve for Capital Projects

10. (a) That the following City land be incorporated into various streets:

Bolzano Drive	Part 1	Plan 62R-11382
Cellini Avenue	Blocks 19 and 20	Plan 62M-643; and,

- (b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be enacted by Council; and,

- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
11. That the applications to retain inadvertent encroachments at the locations outlined in Appendix "A", appended hereto, be approved, provided:
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and the City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the first year fees and subsequent annual fees outlined in Appendix "A" be set for the encroachments.
12. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of St. Nicholas Serbian Orthodox Church to display a promotional banner across Main Street West, in front of City Hall, advertising the Serbian National Federation Basketball Tournament, from 1995 May 18 to 1995 May 21, with the following message:

"WELCOME DEAR GUESTS"
"DOBRO NAM DOSLI DRAGI GOSTI"

13. That the application of Paroquia de Santa Maria to temporarily close Sheaffe Street from Park Street easterly in order to hold a festival for the Holy Spirit Fraternity on Saturday, 1995 June 3 from 4:00 o'clock p.m. to Sunday, 1995 June 4 at 1:00 o'clock a.m. and a festival for Our Lady of the Angels on Friday, 1995 August 11 at 4:00 o'clock p.m. to Sunday, 1995 August 13 at 1:00 o'clock a.m. be approved, subject to the following conditions:
- (a) That the prior approval of the Chief of Police or his/her designate be received, and that such permits or authorizations as may be required by the Chief of Police or his/her designate be obtained; and,
 - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,
 - (d) That all barricading be supplied by and at the expense of the applicant; and,
 - (e) That "Temporary Road Closure" signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant; and,
 - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer; and,
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services; and,
 - (i) That a temporary exemption from Noise Control By-law No. 79-292 be granted to the applicant.
14. (a) That the construction of an independent concrete sidewalk on the south side of Rymal Road from Upper James Street to Springside Drive and on the north side of Rymal Road from Upper James Street to approximately 226 m easterly, proceed as a local improvement pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of \$74,800. and \$27,700. respectively with a City's Share of \$24,133.30 and \$1687.00 respectively and an Owner's Share of \$50,666.70 and \$26,013. respectively, all as provided in the 1995 portion of the 1995 - 2004 Capital Budget; and,
- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
 - (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,
 - (d) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.

15. That a purchase order be issued to Hard Rock Paving Co. Ltd., Port Colborne, Ontario, not to exceed \$100,000. per year for 1995, 1996, 1997 to provide asphalt surface planing as and when required, in accordance with the specifications issued by the Treasury Department - Purchasing Division and the Public Works Department and that this expenditure be financed through various approved road maintenance accounts.
16. That purchase orders be issued for Hired Equipment Contractors, as listed on Appendix "B" attached hereto, as and when required during 1995, 1996 and 1997 in accordance with the specifications issued by the Treasury Department-Purchasing Division, and the Public Works Department, and that this expenditure be financed through various approved accounts.
17.
 - (a) That an Offer to Purchase (Easement) Agreement, executed by Regional Officials, on 1995 March 1 and scheduled to close on or before 1995 July 18, for the purchase by the Region of part of Lot 24, Concession 2, formerly in the Township of Saltfleet, now in the City of Hamilton, shown as Parts 1, 2, 3, 4 and 5 on Plan 62R-7697, comprising an area of 2,314.93 square metres (24,917.1 square feet), more or less, along the western limit of Bow Valley Drive, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Estate Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$856. be credited to Account No. CH4X501 00102 (Reserve for Property Purchase); and,
 - (b) That the required deposit in the amount of \$2. be held by the City Treasurer pending Council approval; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
 - (d) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (i) satisfactory notice has been given to the public of the intended sale; and,
 - (ii) an appraisal of the fair market value of the real property is not required; and,
 - (iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

18.
 - (a) That an Offer to Purchase (Easement) Agreement, executed by Regional Officials, on 1995 March 1 and scheduled to close on or before 1995 July 18, for the purchase by the Region of part of Lot 25, Concession 2, formerly in the Township of Saltfleet, now in the City of Hamilton, shown as Parts 1, 3, 4 and 5 on Plan 62R-12941, comprising an area of 428.0 square metres (4,606.0 square feet), more or less, along the eastern limit of Lake Avenue, Hamilton, at Huckleberry Drive, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Estate Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$157.50 be credited to Account No. CH4X501 00102 (Reserve for Property Purchase); and,
 - (b) That the required deposit in the amount of \$2. be held by the City Treasurer pending Council approval; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
 - (d) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (i) satisfactory notice has been given to the public of the intended sale; and,
 - (ii) an appraisal of the fair market value of the real property is not required; and,
 - (iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
19.
 - (a) That the position of Director of Traffic Services be eliminated and that the Departments of Public Works and Traffic be merged with the management structure as shown in Appendix "C"; and,
 - (b) That the combined department be renamed the Department of Public Works and Traffic; and,
 - (c) That the Director of Public Works be retitled Commissioner of Public Works and Traffic; and,
 - (d) That staff report back in one year with the results of a review of additional restructuring and the potential savings and efficiencies to the Corporation which may result.

20. That traffic signal control equipment be modernized at the intersections of King and Longwood, King and Marion, King and Sterling and King and Dalewood at a cost not to exceed \$70,000. with funds to be provided from Account No. CF5000 759549021.
21. That a "No Parking" regulation be implemented on the east side of Rutledge Court commencing at a point 195 feet north of Independence Drive and extending to a point 106 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
22. That Section 1 of the Transport and Environment Committee's Fourth Report for 1995 respecting the removal and relocation of the four-way stop control at the intersection of Beach Road and Rowanwood Avenue, adopted by City Council at its meeting held 1995 March 14, be rescinded.
23.
 - (a) That a "No U Turn" regulation be implemented at the intersection of Acadia Drive and Cartier Crescent; and,
 - (b) That a "No Stopping 7:00 a.m. to 6:00 p.m. Monday to Friday" regulation be implemented on the east side of Acadia Drive, opposite of the school between Cartier Crescent and the south property line of No. 141 Acadia Drive; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
24. That the request of C. DelSordo, owner of No. 1205 Rymal Road East, to maintain the encroachment of a free standing sign on the Nebo Road road allowance, be approved subject to an encroachment agreement being entered into by the applicant.
25. That leave be granted to introduce the following Bills:
 - (a) A-37 A By-law to Incorporate City Land Designated as Part 1, Plan 62R-11382 into Bolzano Drive
 - (b) A-38 A By-law to Incorporate City Land Designated as Blocks 19 and 20, Plan 62M-643 into Cellini Avenue
 - (c) A-39 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (d) A-40 A By-law to Amend By-law No. 89-72 to Regulate Traffic

26. (a) That the Director of Public Works be authorized to proceed with the implementation of the revised plan to develop the Westdale Village Business Improvement Area's traffic islands between Paisley and Marion Avenues as shown on Appendix "D", at a total cost of \$44,739 attached herewith;
- (b) That \$18,000 of the total cost not to exceed (\$44,739) be recovered from Account Number CF5698-428705003 (The Commercial Improvement Programme)
AMENDED.

Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson
Secretary**

1995 May 15

Appendix "A" as referred to in
Section 11 of the SEVENTH
Report of the Transport and
Environment Committee for 1995

<u>Location</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year /Annual</u>	<u>File Number</u>
114 Burton Street	Amorim	Steps 0.09m x 0.94m	138/20	T103 50 (1164)
255 Hess Street South	C. Levasseur L. Rollo	Steps 1.82m x 0.3m	138/20	T103 50 (1166)
236 Brucedale Avenue East	Ford	Verandah and Steps 1.4m x 4.37m	138/20	T103 50 (1168)
208 Ray Street North	Gusenbauer	Front porch 2.26m x 0.55m and Steps 0.84m x 0.99m	138/20	T103 50 (1169)

Appendix "B" as referred to in
Section 16 of the SEVENTH
Report of the Transport and
Environment Committee for 1995

Suppliers of Rental Equipment Must be Called in Order
From Lowest Bidder to Highest Bidder

	<u>1995</u>	<u>1996</u>	<u>1997</u>
<u>Bulldozers - Caterpillar D-6 or equivalent</u>			
1. D.V.C. Enterprises - Cat D6C	\$73.00	\$75.00	\$77.00
2. G.F. Mason Excavating - Cat D6	75.00	78.00	80.00
3. Carson Equipment - Cat D6	76.00	78.00	80.00
4. JDR Tools - w/winch JD 750	76.00	78.00	80.00
5. Quigley Contracting	76.00	76.00	80.00
<u>Bulldozers - Caterpillar D-7 or equivalent</u>			
1. D.V.C. Enterprises - Cat D7	75.00	77.00	79.00
2. G.F. Mason Excavating - Terex 82-20B (2)	78.00	80.00	82.00
3. Battaglia Contracting - Cat D7	83.00	86.00	89.00
<u>Bulldozers - Caterpillar D-8 or equivalent</u>			
1. Dig-it Contractors - Terex 82-30	90.00	95.00	100.00
2. D.V.C. Enterprises - Cat D8H	94.00	96.00	98.00
3. Adair Heavy Equipment Rentals - Cat D8H (2)	95.00	100.00	105.00
4. Quigley Contracting - with rippers	98.00	98.00	100.00
<u>Bulldozers - John Deere 550 or equivalent</u>			
1. L.M. Enterprises - 550 Case	55.00	56.00	57.00
2. Cardi Construction - Cat D4 (3)	55.00	56.00	58.00
3. D.V.C. Enterprises - JD 5506	55.00	57.00	59.00
4. Aldershot Rentals - JD 550	57.00	60.00	62.00
5. JDR Tools - JD 550 B	58.00	60.00	62.00

Note: () indicates number of pieces of equipment available if more than one

Suppliers of Rental Equipment Must be Called in Order
From Lowest Bidder to Highest Bidder

	<u>1995</u>	<u>1996</u>	<u>1997</u>
<u>Bulldozers - John Deere 450 or equivalent</u>			
1. Frem Excavating - Dresser TD7E	48.00	50.00	52.00
2. F & S Excavating - JD 450G	48.00	51.00	52.00
3. E. Woytkiw Haulage - JD 450 (3)	49.95	51.95	53.95
4. G. Mason Construction - JD 450	50.00	51.00	52.00
<u>Rubber Tire Front End Loaders - 5 Cu.Yd. Capacity</u>			
1. G.F. Mason Excavating - Terex 72-51B	80.00	83.00	85.00
<u>Rubber Tire Front End Loaders - 4 Cu.Yd. Capacity</u>			
1. J.B.R. Rentals - Komatsu WA320	72.00	74.00	76.00
2. G.F. Mason Excavating - Terex 72-31B (2)	75.00	78.00	80.00
<u>Rubber Tire Front End Loaders - 3 Cu.Yd. Capacity</u>			
1. E. Woytkiw Haulage - JD 544 (2)	64.95	67.95	70.95
2. Rioux Excavating - 1872 Case w14	66.00	68.00	70.00
<u>Rubber Tire Front End Loaders - 2 Cu.Yd. Capacity</u>			
1. C.L.M. Heavy Equipment - Ford 755	50.00	50.00	50.00
2. Battaglia Contracting - 1550B JCB 4X4	55.00	57.00	57.00
3. Cardi Construction - Cat 416 XL V.C. Loader (2)	55.00	55.00	58.00
<u>Track Front End Loaders - 4 Cu.Yd. Capacity</u>			
1. Cardi Construction - Cat 963 Loader	80.00	80.00	85.00

Note: () indicates number of pieces of equipment available if more than one

Suppliers of Rental Equipment Must be Called in Order
From Lowest Bidder to Highest Bidder

	<u>1995</u>	<u>1996</u>	<u>1997</u>
<u>Track Front End Loaders - 3 Cu.Yd. Capacity</u>			
1. Spar-Con Construction - Cat 963	78.00	82.00	85.00
<u>Track Front End Loaders - 2 Cu.Yd. Capacity</u>			
1. JDR Tools - JD 455-E	63.00	65.00	67.00
<u>Track Front End Loaders - others</u>			
1. Aldershot Rentals - JD 455 w/ backhoe	59.00	61.00	64.00
<u>Trucks - 8 Cu.Yd. Capacity</u>			
1. Battlefield Bobcat (2)	35.00	37.00	39.00
2. L.M. Enterprises (2)	35.00	37.00	39.00
3. Acme Excavating	37.00	37.00	37.00
<u>Trucks - 16 Cu.Yd. Capacity</u>			
1. All Around Contracting	39.00	43.00	45.00
2. O. Ciccarelli & Son	41.00	43.00	45.00
3. F & S Excavating (4)	41.95	43.50	44.95
4. Greco Bobcat (3)	42.00	43.00	44.00
5. Digmor Excavating	42.00	44.00	46.00
6. Ray's Construction	42.00	44.00	45.00
7. J.B.R. Rentals	42.00	44.00	46.00
8. G.F. Mason Excavating (2)	43.00	45.00	47.00
<u>Trucks - 18 Cu.Yd. Capacity</u>			
1. Roma Concrete (3)	42.00	43.00	44.00

Note: () indicates number of pieces of equipment available if more than one

Suppliers of Rental Equipment Must be Called in Order
From Lowest Bidder to Highest Bidder

	<u>1995</u>	<u>1996</u>	<u>1997</u>
<u>Trucks</u> - 20 Cu.Yd. Capacity			
1. E. Woytkiw Haulage (10)	54.95	56.95	58.95
<u>Trucks</u> - Stone Slinger			
1. F & S Excavating	80.00	85.00	90.00
<u>Trucks</u> - Boom Truck			
1. JDR Tools	68.00	70.00	72.00
<u>Trucks</u> - with trailer dump			
1. G.F. Mason Excavating - 50 Cu.Yd. trailor (2)	70.00	72.00	74.00
<u>Floats</u>			
1. Roma - 12 ton 3 axle	43.00	45.00	47.00
2. Aldershot Rentals - 35 ton	60.00	62.00	65.00
3. E. Woytkiw - 45 ton	62.95	64.95	66.95
4. L.M. Enterprises - 50 ton	65.00	70.00	75.00
<u>Scrapers</u> - 14 Cu.Yd. Capacity			
1. Quigley Contracting - Terex TS 14	100.00	100.00	105.00
2. Danbill Equipment - Terex TS 14B	100.00	105.00	110.00
<u>Scrapers</u> - 24 Cu.Yd. Capacity			
1. Quigley Contracting - Terex TS 24	120.00	120.00	125.00

Note: () indicates number of pieces of equipment available if more than one

Suppliers of Rental Equipment Must be Called in Order
From Lowest Bidder to Highest Bidder

	<u>1995</u>	<u>1996</u>	<u>1997</u>
<u>Graders - Model 14 Caterpillar</u>			
1. Adair Heavy Equipment Rentals	65.00	68.00	72.00
2. Bill Price Graders	89.00	91.50	93.50
<u>Graders - Model 120 Caterpillar</u>			
1. Adair Heavy Equipment Rentals	65.00	68.00	72.00
2. Tim Lipsitt Excavating	75.00	75.00	80.00
<u>Graders - Model 562 Champion</u>			
1. Danbill Equipment	58.95	59.95	60.95
2. Dig-it Contractors (2)	72.00	77.00	82.00
3. G. Mason Construction	74.00	75.00	76.00
<u>Graders - Model 600D Champion</u>			
1. Danbill Equipment	58.95	59.95	60.95
2. Rioux Excavating	64.00	66.00	68.00
<u>Graders - Model 600 Gallon Grader</u>			
1. G.F. Mason Excavating	65.00	68.00	71.00
<u>Graders - Model Allatt SG100</u>			
1. G.F. Mason Excavating	60.00	62.00	64.00
2. Bill Price Graders	74.00	76.50	79.00

Note: () indicates number of pieces of equipment available if more than one

Suppliers of Rental Equipment Must be Called in Order
From Lowest Bidder to Highest Bidder

	<u>1995</u>	<u>1996</u>	<u>1997</u>
<u>Graders - other</u>			
1. G. Mason Construction - Huber Grader	64.00	66.00	68.00
<u>Rubber Tire Backhoe - John Deere 310 or equivalent</u>			
1. L.M. Enterprises - 580K Case	45.00	46.00	47.00
2. F & S Excavating - JD310	45.95	47.45	48.95
3. Cardi Construction - Cat 416 XL (2)	50.00	50.00	50.00
4. Acme Excavating - M.F. 50C (2)	50.00	50.00	50.00
<u>Rubber Tire Backhoe - John Deere 410 or equivalent</u>			
1. C.L.M. Heavy Equipment - Ford 555 (2)	35.00	35.00	35.00
2. Ray's Construction - JCB 1400 4X4	42.00	44.00	46.00
3. L.M. Enterprises - 580SK Case	45.00	46.00	47.00
4. Carlo Bros. Excavating - 580K Case	45.00	46.00	47.00
<u>Rubber Tire Backhoe - John Deere 510 or equivalent</u>			
1. Cardi Construction - Cat 416 XL (2)	50.00	50.00	50.00
2. Workman Excavating - JD 510	50.00	52.00	54.00
3. Carson Equipment - JD510	52.00	54.00	56.00
<u>Rubber Tire Backhoe - John Deere 710 or equivalent</u>			
1. C.L.M. Heavy Equipment - Ford 755	50.00	50.00	50.00

Note: () indicates number of pieces of equipment available if more than one

Suppliers of Rental Equipment Must be Called in Order
From Lowest Bidder to Highest Bidder

	<u>1995</u>	<u>1996</u>	<u>1997</u>
<u>Rubber Tire Backhoe - with Extend-a-hoe</u>			
1. C.L.M. Heavy Equipment - Ford 555 (2)	35.00	35.00	35.00
2. Bill Wilcockson Trenching (2) - JCB 214/Ford 455	37.75	38.75	39.75
3. R.C.M. Contracting - 555 Ford Ex-Hoe (3)	38.00	38.00	38.00
4. Ray's Construction - JCB 1400 4X4	45.00	47.00	49.00
5. Roma Concrete - Case 580E	45.00	47.00	49.00
6. Rioux Excavating (2) - 1988 JCB/1989 JCB 4WD	46.00	48.00	50.00
<u>Rubber Tire Backhoe - with convertible bucket</u>			
1. C.L.M. Heavy Equipment - 12" 24" 18" Buckets Ford 555 with Ex-Hoe (2)	35.00	35.00	35.00
2. Bill Wilcockson Trenching - JCB 214 (2)	37.75	38.75	39.75
3. R.C.M. Contracting - 555 Ford Ex-Hoe (3)	38.00	38.00	38.00
<u>Rubber Tire Backhoe - Cost per Hour for Hoe Ram Attachment</u>			
1. C.L.M. Heavy Equipment	15.00	15.00	15.00
2. R.C.M. Contracting	20.00	20.00	20.00
3. All Around Contracting	30.00	30.00	30.00
4. Carson Equipment	30.00	32.00	34.00
5. JDR Tools	30.00	32.00	34.00

Note: () indicates number of pieces of equipment available if more than one

Suppliers of Rental Equipment Must be Called in Order
From Lowest Bidder to Highest Bidder

	<u>1995</u>	<u>1996</u>	<u>1997</u>
<u>Excavators - John Deere 590 or equivalent</u>			
1. E. Woytkiw Haulage - JD590 (2)	74.95	76.95	78.95
2. JDR Tools - JD590	75.00	77.00	79.00
3. Spar-Con Construction - JD590	76.00	79.00	83.00
<u>Excavators - John Deere 690 or equivalent</u>			
1. F & S Excavating - Hitachi 200	75.00	80.00	80.00
2. D.V.C. Enterprises - JD690E	82.00	84.00	86.00
3. Acme Excavating - 690B Backhoe	85.00	85.00	85.00
4. J.B.R. Rentals - 1994 Cat 320	85.00	89.00	94.00
5. Jasen Enterprises - 690E	85.00	88.00	90.00
6. Carlo Bros. Excavating - 930 Case	85.00	90.00	95.00
7. L.M. Enterprises - Case 9030 (laser available)	85.00	90.00	95.00
<u>Excavators - John Deere 790 or equivalent</u>			
1. E. Woytkiw Haulage - JD 790 (2) - Hitachi 270 (2)	84.95	86.95	88.95
2. D.V.C. Enterprises - Cat 225	87.00	89.00	91.00
3. JDR Tools - JD 790	89.00	91.00	94.00
<u>Excavators - John Deere 992 or equivalent</u>			
1. Dig-it Contractors - Cat 235	95.00	99.00	103.00
2. J.B.R. Rentals - 1988 Cat 235B	105.00	110.00	115.00

Note: () indicates number of pieces of equipment available if more than one

Suppliers of Rental Equipment Must be Called in Order
From Lowest Bidder to Highest Bidder

	<u>1995</u>	<u>1996</u>	<u>1997</u>
<u>Excavators - with Hoe Ram</u>			
1. C.L.M. Heavy Equipment - Kybota KX101 with BRH40 HoeRam	90.00	90.00	90.00
2. JDR Tools - JD590+ 7XE, 1500 lb	130.00	135.00	140.00
3. Jasen Enterprises - NPK 7X on 490	150.00	150.00	150.00
4. Wm. Groves - Drott 40 c/w 620 tramac 3000ft/lb impact	170.00	170.00	170.00
5. Cardi Construction - Cat 225 eith NPK 10X	170.00	170.00	175.00
<u>Excavators - others</u>			
1. Frem Excavating - Takeuchi mini	44.00	45.00	46.00
2. Digmor Excavating - 50 Hitachi mini	55.00	57.00	59.00
3. C.R.L. Campbell Bros.			
- Cat 211LC crawler type 2 Cu.Yd. bucket	66.90	70.25	73.75
- Drott 35YR 7/8 Cu.Yd. crawler, wrist-o-twist	67.90	71.25	74.90
- Drott 40YD 7/8 Cu.Yd. 60" bucket, wrist-o-twist, rubber tired	67.90	71.25	74.90
4. All Around Contracting - JSWBH80 1 3/8 yd.	70.00	70.00	70.00
5. C.R.L. Campbell Bros.			
- Warner & Swayse 700A 1 1/2 cu.yd. bucket 6 1/2 ditching bucket crawler, wrist-o-twist	79.90	83.90	87.90
6. Wm. Groves - Drott 40 rubber tire 36000lb	82.00	82.00	82.00

Note: () indicates number of pieces of equipment available if more than one

Suppliers of Rental Equipment Must be Called in Order
From Lowest Bidder to Highest Bidder

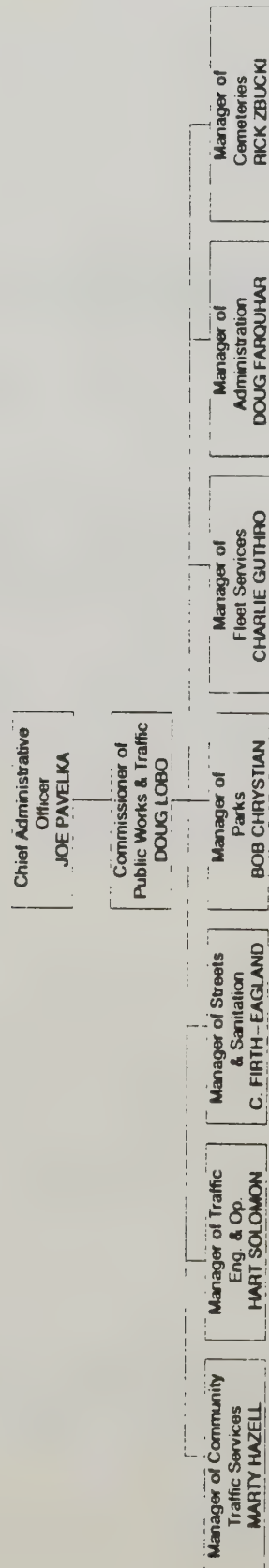
	<u>1995</u>	<u>1996</u>	<u>1997</u>
<u>Bobcats</u>			
1. E Woytkiw Haulage - 553 bobcat (3)	36.95	38.95	40.95
- 753 bobcat (3)	39.95	41.95	43.95
2. Aldershot Rentals - bobcat 743 bucket/forks	45.00	46.00	47.00
3. Cardi Construction - 763 bobcat/forks	45.00	45.00	47.00
<u>Gradalls - H300</u>			
1. C.R.L. Campbell Bros. - Warner & Swayse H300			
5/8 cu.yd. bucket 23'			
surface reach, 4'			
boom ext.	59.75	62.75	65.90
2. Aldershot Rentals - Gradall 660 Crawler	80.00	82.00	84.00
<u>Gradalls - G600</u>			
1. C.R.L. Campbell Bros.			
- Warner & Swayse G440 5/8 cu.yd.			
bucket 23' surface reach, 4'			
boom ext.	67.90	71.25	74.90
- Warner & Swayse G660 3/4 cu.yd.			
bucket 29' surface reach, 8'			
boom ext. rubber tired	67.90	71.25	74.90
- Warner & Swayse G660 3/4 cu.yd.			
bucket crawler type various			
buckets & exts.	67.90	71.25	74.90

Note: () indicates number of pieces of equipment available if more than one

Suppliers of Rental Equipment Must be Called in Order
From Lowest Bidder to Highest Bidder

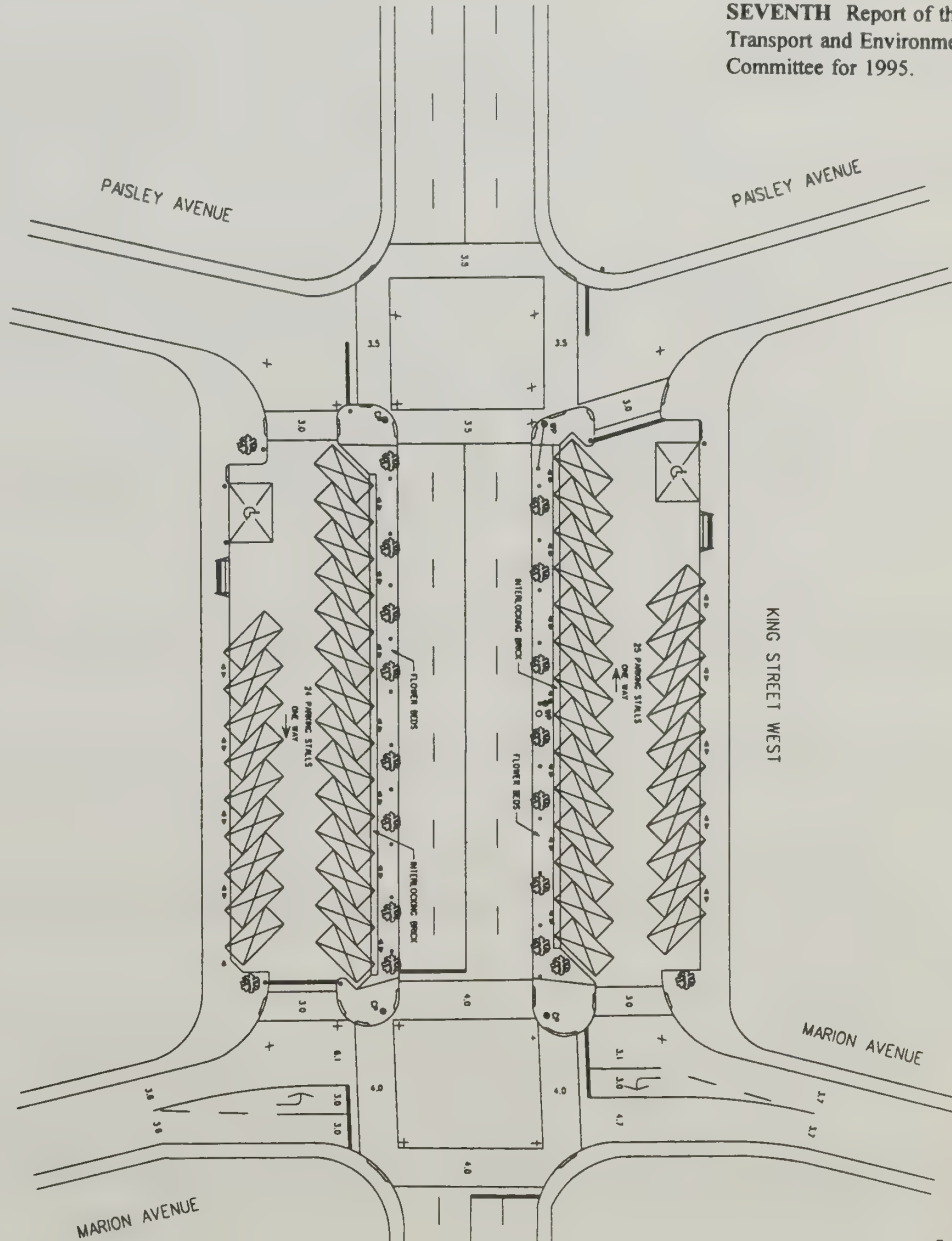
	<u>1995</u>	<u>1996</u>	<u>1997</u>
<u>Compaction Equipment - Smooth Drum</u>			
1. L.M. Enterprises - DynaPac 54"	50.00	55.00	60.00
2. G.F. Mason Excavating - Hyster 72"	60.00	63.00	66.00
3. JDR Tools - 60" Duopact	60.00	62.00	64.00
<u>Compaction Equipment - Pad Foot</u>			
1. Dig-it Contractors - Case 602 P.D.	55.00	58.00	61.00
2. J.B.R. Rentals - 60" PadFoot	60.00	63.00	66.00
3. Danbill Equipment - DynaPac 84"	75.00	77.00	80.00
<u>Compaction Equipment - other</u>			
1. Quigley Contracting - 826 Cat Packer with 14' blade att.	80.00	80.00	85.00

Note: () indicates number of pieces of equipment available if more than one



Appendix "C" as referred to in Section 19 of the SEVENTH Report of the Transport and Environment Committee for 1995

Appendix "D" referred to in Section 7 of the **SEVENTH** Report of the Transport and Environment Committee for 1995.



STANDARD PRACTICES, UNLESS NOTED.

EXISTING PROPOSED		LEGEND
STAYLOKS	ITEM	
</		



21	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
20	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
19	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
18	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
17	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
16	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
15	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
14	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
13	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
12	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
11	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
10	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
9	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
8	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
7	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
6	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
5	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
4	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
3	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
2	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS
1	DATE	NO.	APPROVALS	DATE	NO.	APPROVALS

PARKING METER LAYOUT

KING STREET WEST
MARION AVENUE TO
PASLEY AVENUE

IN THE CITY OF HAMILTON

THE REGIONAL MUNICIPALITY OF HAMILTON NORTH
ORDINANCE PREPARED BY THE CITY OF HAMILTON (TRAFFIC COMMITTEE)

APPROVALS

THE REGIONAL MUNICIPALITY OF HAMILTON NORTH

SCALE: 1:250

DRAWN: T.F.H.

CHECKED: _____

SURVEY DATE: _____

1994 04 08

DRAWING NO: _____

DT: 3046P3

(A406P03 DOW)

FEE NO. C-48

Previous: C-48

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **TWELFTH** Report for 1995 and respectfully recommends:

1.
 - (a) That approval as required by Sections 5 (b) and 11 (a) of the Parks By-law No. 77-221 be given to the Food Concession Coordinator, Department of Culture and Recreation to barbecue and sell food and beverages during museum special events in Dundurn Park (Tattoo 1995 July 1; Microcosm - 1995 July 8 to July 9; and An Evening in Scotland - 1995 August 20) in Dundurn Park; and in Gage Park (Children's Museum Birthday Party - 1995 July 20 (Raindate: July 21); and,
 - (b) That the Military Museum, Dundurn Castle and Friends of the Hamilton Children's Museum receive 25% of the gross sales for their respective special events or a 50% profit share on net revenue given inclement weather.
2.
 - (a) That approval be given to the Director of Culture and Recreation to participate in the Regional Environmental Services Department Open House on 1995 September 23; and,
 - (b) That complimentary admission to the Steam Museum be extended to all visitors on that day. **AMENDED.**
3. That approval, as required by Section 5 (b) and Section 11 (a) and (c) of Parks By-law No. 77-221, to barbecue, sell food and merchandise, be given to the following community associations, subject to applicants providing to the City of Hamilton proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured:
 - (a) Templemead Community Council Templemead Park 1995 August 12
 - (b) Templemead Sports Association Templemead Park 1995 September 16
 - (c) Quinndale Community Council Mount Lions Park 1995 August 26
 - (d) Highview Baseball Council Highview Park 1995 August 26

4. That permission be granted to charge green fees on a buy three (3) get one (1) free basis for the 1995 Canadian Public Works Golf Tournament to be held at King's Forest Golf Course on 1995 June 15.
5. That permission be granted to charge green fees on a buy three (3) get one (1) free basis for the 1995 Canadian Football Hall of Fame & Museum annual golf tournament to be held at King's Forest Golf Course on 1995 June 16.
6. That permission be granted to charge green fees on a buy two (2) get one (1) free basis for the Annual Canusa Games Fundraising Golf Tournament to be held at Chedoke Golf Course on 1995 July 21.
7. That permission be granted to charge green fees on a buy three (3) get one (1) free basis for the Optimist International's Central Ontario District, Annual Junior Golf Qualifying Tournament to be held at Chedoke Golf Course on 1995 June 28.
8. That permission be granted to charge green fees on a buy two (2) get one (1) free basis for the Annual Chedoke Golf Course Tournament to be held at Chedoke Golf Course on 1995 June 17.
9.
 - (a) That permission be granted to issue two complimentary golf passes as prizes for the Hamilton-Wentworth Regional Police Retirees Third Annual Golf Tournament being held on Monday 1995 June 26 at Southern Pines Golf and Country Club; and,
 - (b) That permission be granted to issue two complimentary golf passes as prizes for the Ontario Parks Association's Golf Tournament being held on 1995 July 21, in Markham at the Rolling Hills Golf Club; and,
 - (c) That permission be granted to waive the green fees at Chedoke Beddoe to host a summer meeting of the Western Ontario Golf Superintendents' Association on 1995 July 18.
10. That the Director of Culture and Recreation be authorized to issue a complimentary adult admission pass to the five City Museums, for the Fountain Foundation/Hamilton Law Association fund raising auction.

11. That approval be given of the action taken by the Director of Culture and Recreation in granting permission, as required by Section 8 of the Fireworks By-law No. 90-198, to the Kirkendall Recreation Association to hold a "Family Style" Fireworks Display on City property, Highland Gardens (Reservoir Park), located on Hillcrest and Mountain Avenue on 1995 May 22, (Raindate: 1995 May 23), subject to the following terms and conditions:
 - (a) That proof of \$5 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury be provided, at least 20 days in advance, naming the Corporation of the City of Hamilton as named insured with a cross liability endorsement; and,
 - (b) That the Kirkendall Recreation Association agree to indemnify the Corporation of the City of Hamilton for any bodily injury or property damage caused by the fireworks display; and,
 - (c) That the Kirkendall Recreation Association comply with all sections of the By-law No. 90-198.
12.
 - (a) That the agreement between the Corporation of the City of Hamilton and Ruth Stefan, to operate the Food and Drink Concessions at Globe Park and Gage Park, be extended until 1995 September 30, under the same terms and conditions of the prior agreement; and,
 - (b) That the City Solicitor be authorized and directed to have prepared and executed the necessary document; and,
 - (c) That the Director of Culture and Recreation be directed to undertake a review of the operation of these concessions prior to the 1996 Operating Season.
13. That approval as required by Parks By-law No. 77-221, Section 11 be granted to Big "A" Amusement Ltd. sell food and non-alcoholic beverages during the Big "A" Amusement Ltd. fundraising event for the Queenston Parent/Child Drop In Centre 1995 July 19 to July 23 from 12:00 o'clock noon to 11:00 o'clock p.m., in Parkdale Park, subject to the following terms and conditions:
 - (a) That insurance, in the amount of \$3 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross liability, and 30 days notice of cancellation, be provided; and,
 - (b) That the applicant assume responsibility for all labour-related costs as a result of this event i.e. clean-up; and,

- (c) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team; and,
 - (d) That a Site Plan of Park to be submitted one month prior to event.
14. (a) That approval be granted to the Juvenile Diabetes Foundation Canada to host a Volleyball Tournament on 1995 June 24 from 11:00 o'clock a.m. to 7:00 o'clock p.m., in Churchill Park, subject to the following terms and conditions:
- (i) That proof of \$2 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury to be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,
 - (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (iii) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
- (b) That the event will be monitored by the Special Events/Festival Advisory Team, with a post-event report back to Committee.
15. That approval as required by Parks By-law No. 77-221 Section 5, Section 10 (3) and Section 11 to barbecue, sell food and non-alcoholic beverages and amplify sound be granted to The Living Rock Ministries to use Gage Park to host a youth-focused festival part of the "Summer Youth Project", on 1995 July 29 from 12:00 o'clock noon to 11:00 o'clock p.m., subject to the following terms and conditions:
- (a) That insurance, in the amount of \$2 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross liability, and 30 days notice of cancellation, be provided; and,
 - (b) That the applicant assume responsibility for all labour-related costs as a result of this event (i.e. set up, clean-up, etc.); and,
 - (c) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (d) That the event will be monitored by the Special Events/Festival Advisory Team, with a post-event report back to Committee.
- REFERRED BACK.**

16. That approval, as required by Parks By-law No. 77-221 Section 5 (b), Section 11, Section 20 (4), Section 24 (1) and Section 32, to barbecue, sell food and non-alcoholic and alcoholic beverages, animals in a park and to park vehicles in a park be given to the Regional Municipality of Hamilton Wentworth to use Harbourfront, Pier 4 Park, Eastwood and Bayview Parks to host Greater Hamilton Aquafest, 1995 July 21 to July 23 from 8:00 o'clock a.m. to 11:00 o'clock p.m. subject to the following terms and conditions:
- (a) That proof of the following insurance be provided and submitted thirty (30) days prior to the event, indicating the City as the additional insured, subject to a cross liability clause:
 - (i) Comprehensive General Liability in the amount of \$5 million per occurrence including various hazards, satisfactory to the City; and,
 - (ii) Owned and Non-Owned Watercraft Liability to a minimum of \$5 million per occurrence; and,
 - (iii) Evidence of Owned Automobile coverage (OPF 1) minimum of \$5 million per occurrence; and,
 - (iv) Evidence of Tenant Legal Liability in the amount of \$5 million per occurrence; and,
 - (v) Evidence of Garage Liability in the amount of \$5 million per occurrence; and,
 - (b) That insurance, in the amount of \$5 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross liability, severability provisions and 30 days notice of cancellation, be provided; and,
 - (c) That all requirements of the Liquor Licence of Ontario are met; and,
 - (d) That alcoholic beverages be served in the confined area (beer and wine only); and,
 - (e) That those organizers and their workers who are providing Alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program".
 - (f) That the Liquor Licence Board of Ontario be advised that Hamilton City Council is aware of the Greater Hamilton Aquafest being held this year from 1995 July 21 to July 23 at Hamilton Harbour locations and deems this event to be a community festival of municipal significance to the City of Hamilton; and,

- (g) That in this regard, the City of Hamilton has no objections to the issuance of a temporary extension of liquor licence to the following licensed establishments in conjunction with the Aquafest activities:
- (i) Macassa Bay Yacht Club
 - (ii) Leander Rowing Club
 - (iii) Royal Hamilton Yacht Club
 - (iv) Sgt. Mess.- HMCS Star; and,
- (h) That the Liquor Licence Board of Ontario be advised that the following community organizations will be applying for a Special Occasion Permit under community festival of municipal significance:
- (i) Kinsman Club
 - (ii) Kiwanis
 - (iii) Las Flores
 - (iv) Rotary Club of Hamilton East
 - (v) Hamilton Ships Company of 1812
 - (vi) Hamilton Dragon Boat Society
- (i) That the Regional Municipality of Hamilton-Wentworth enter into a Licence Agreement satisfactory to the City Solicitor; and,
- (j) That Special Duty Officers, as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
- (k) That the Region assume responsibility for all labour-related costs as a result of this event, including setup and cleanup; and,
- (l) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team; and,
- (m) That the Public Works Department's Street Vendors' Program at Harbourfront and Pier 4 parks be allowed to remain open throughout the event; and,

- (n) That the Hamilton Society for the Prevention of Cruelty to Animals (H.S.P.C.A.) be advised of this event and be invited to attend in order to monitor the event's activities.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Aldermen McCulloch, Jackson. -2.

CARRIED.

17. That approval as required by Parks By-law No. 77-221 Section 5 (b), Section 11 and Section 32 to barbecue, sell food and non-alcoholic beverages and park vehicles in a park be granted to the City of Hamilton to use Harbourfront Park and Pier 4 Park to host Canada Day Fireworks Display, on 1995 July 1, subject to the following terms and conditions:
- (a) That the City of Hamilton's Fireworks Display be held at Harbourfront Park at dusk on 1995 July 1; and,
 - (b) That the Hands Fireworks licensed fireworks supervisor/company be hired to produce and fire a high level fireworks display; and,
 - (c) That Hands Fireworks Company provide proof of \$5 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury to be submitted 30 days in advance by the fireworks company, naming the City as co-insured with a cross liability endorsement; and,
 - (d) That Hands Fireworks enter into a Licensing Agreement satisfactory to the City Solicitor; and,
 - (e) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (f) That the event will be monitored by the Special Events/Festival Advisory Team, with a post-event report back to Committee; and,
 - (g) That the Public Works Department's Street Vendors' Program at Harbourfront and Pier 4 Parks be allowed to remain open throughout the event; and,
 - (h) That the Hamilton Harbour Commission be notified and their rules be adhered to.

18. That staff be authorized to solicit for advertisers in the Fall/Winter Program Guide for 1995/96 at the rates charged for the 1994/95 Program Guide:

(a) For-profit organizations

Full page:	\$1200.
One half page:	\$ 650.
One quarter page:	\$ 350.
One eighth page:	\$ 200.
Business card:	\$ 100.
Business listing:	\$ 50.

(b) Not-for-profit community groups

Full page:	\$ 650.
One half page:	\$ 350.
One quarter page:	\$ 200.
One eighth page:	\$ 100.
Business card:	\$ 50.

(c) Community associations listing \$ 5.

19. (a) That approval be given for the City of Hamilton to enter into a licence agreement satisfactory to the City Solicitor with Lloyd D. Jackson Square for use of any mall space (within the Mall Management Jurisdiction) for a period of one year, 1995 July 1995 to 1996 July to re-instate Recreational Awareness in the Square (R.A.Y.S.) Programme for Youth; and,
- (b) That staff be authorised to apply for Section 25, Future and Ministry of Culture and Tourism and Recreation Grants to provide staffing and equipment for the programme.
20. (a) That a purchase order be issued to M & M Painting and Sandblasting, Cayuga, Ontario, in the amount of \$73,000. plus applicable taxes, for the cleaning and painting of all structural steel including brush blasting of pre-cast underbelly from column one (1) up to and including column twenty (20), this being the lowest of two tenders received in accordance with the specifications issued by the Purchasing Division; and,
- (b) That, as this work is to be completed as soon as possible and prior to the start of the Tiger Cat season, approval be given of the action taken to process this through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairperson, the Chief Administrative

Officer and that any action taken under this provision to be reported to the next regular meeting of City Council"; and,

- (c) That the work be financed from Cleaning and Painting - Ivor Wynne Stadium Account No. FAC 042 CH56398 62910 and Renovations and Repairs FAC 022 CH56398 62910.

- 21. (a) That approval be granted to Barton General B.I.A. to locate a tethered hot air balloon during the Barton Street Festival, 1995 June 25, in Woodlands Park, subject to the following terms and conditions:
 - (i) That proof of \$5 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury to be submitted 30 days in advance, naming the City, Region of Hamilton-Wentworth, Barton General B.I.A. and Barton Street Revitalization Special Events sub-committee as co-insured with a cross liability endorsement; and,
 - (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (iii) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (b) That the event will be monitored by the Special Events/Festival Advisory Team, with a post-event report back to Committee.
- 22. That approval be given to the Director of Culture and Recreation on behalf of the City to apply for a grant under the Federal Department of Employment and Immigration Section 25 program to hire a four Assistants shared between Sesquicentennial Celebrations and First Night Hamilton for a period of up to thirty-eight (38) weeks.
 - 23. That, in accordance with Section 3(2) of the Cemetery Act, White Chapel Memorial Gardens be given approval to increase the number of niches in an existing niche wall. (urn holding wall)
 - 24. (a) That the action taken by the Director of Culture and Recreation to award contracts through a pre-qualified tender process to hire the General Contractor and sub-trades for the various components of the Dundurn Castle Phase II project be approved; and,
 - (b) That the Manager of Cultural Services be authorized to continue to oversee the project as Project Manager; and,

- (c) That a special meeting of the Parks and Recreation Committee be held on 1995 May 30 prior to City Council to award the contract for the Dundurn Castle Restoration Phase II project.

25. That the permit fees for the Hamilton Olde Sports Association to use Turner Park baseball diamonds be reduced from \$1,600. to a flat fee of \$600. for the 1995 Baseball Season only.

26. That the Director of Culture and Recreation be delegated the authority to approve by permit, event functions in City Parks that require approval in accordance with the Parks By-law No. 77-221 or its successor with respect to the following activities:

(a) Part 02

Section 12

While in any Park, no person shall:

- (i) light, build, or stoke an open fire or bonfire unless authorized by Permit
- (ii) use charcoal or solid fuelled portable barbecue unless authorized by Permit or where Posted to allow same.

(b) Part 02

Section 13

While in any Park, no person shall:

- (i) unless authorized by Permit, hold a picnic, organized gathering or event for more than twenty-five persons, or
- (ii) interfere with a picnic, organized gathering or event authorized by Permit.

(c) Part 02

Section 14

Unless authorized by Permit, no person shall operate loud speakers or amplifying equipment in any park.

(d) Part 02

Section 15

Unless authorized by Permit, no person shall dwell, camp or lodge in any Park

Section 16

Unless authorized by Building Permit, no person shall place install or erect any temporary or permanent tent or structure in any Park.

(e) Part 07

Section 40 (1)

Unless authorized by Permit, no person shall, while in a Park, sell or offer or display for sale:

- (i) any food, drink or refreshments
- (ii) any goods, wares, merchandise or articles including promotional material, souvenirs and novelties; or
- (iii) any art, skill, service or work
- (iv) except in accordance with Schedule "B" (of the Parks By-law No. 77-221)

27. (a) That approval be given for a public artwork of a permanent nature to be installed in a prominent location on City property, in partnership with the private/corporate sector, in celebration of Hamilton's Sesquicentennial in 1996; and,
- (b) That the location for the artwork selected through a competition process be the outdoor forecourt of City Hall as indicated on the site map attached hereto as Appendix "A" subject to the approval of the Finance and Administration Committee with the understanding that re-siting may be required in the future to conform with a re-development of City Hall grounds; and,
- (c) that any future proposals for placement of artworks or commemorative pieces within this very important civic space be referred to the Arts Advisory Commission for consultation and advice; and,

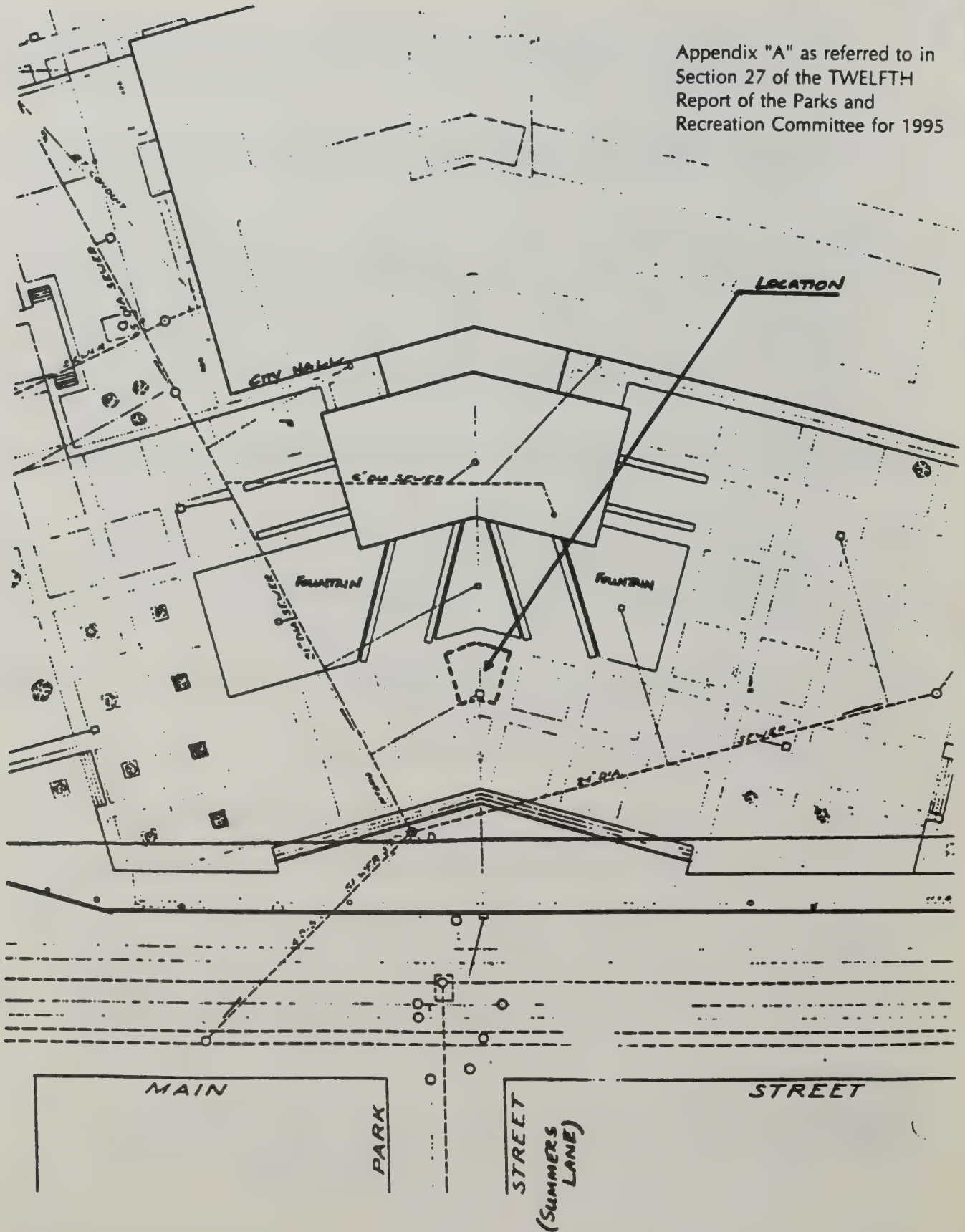
- (d) That an interim volunteer Departmental subcommittee consisting of members of the former Public Art Commission continue to work with staff on the project and to provide public input; and,
 - (e) That funding not to exceed \$75,000. be drawn from Centre CF 709441025 of the Public Art Programme budget to finance the project.
28. That, notwithstanding Section 26 of the Eleventh Report for 1992 of the Finance and Administration Committee which was adopted by City Council at its meeting held Tuesday, 1992 September 20, respecting, in part, the mandate of the Selection Committee to interview applicants and recommend Citizen appointments to the Standing Committee to which the sub-committee reports, the Chairperson of the Parks and Recreation Committee and Alderman Jackson be authorized to conduct the interviews and recommend appointments to the New Mum Show Sub-Committee. **AMENDED.**
29. That the Director of Public Works be authorized and directed to prepare a new Parks By-law to replace Parks By-law No. 89-74 and all amendments thereto.
30. (a) That the curbs and landscape islands be modified as per Appendix "B", attached hereto, within the Parking/Driveway areas at the Sackville Hill Seniors Recreation Centre, 758 Upper Wentworth Street to facilitate the unhindered entry and exit of buses; and,
- (b) That the estimated cost of \$7,000. be charged to Account No. CF 709041013 (Sackville Hill Seniors Recreation Centre).
31. That leave be granted to introduce the following Bills:
- (a) Bill B-2 A By-law to Authorize the Cemeteries Operation By-law
 - (b) Bill B-3 A By-law to Replace By-law No. 89-74 Respecting Parks

Respectfully Submitted,

**ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson
Secretary
1995 May 23**

Appendix "A" as referred to in
Section 27 of the TWELFTH
Report of the Parks and
Recreation Committee for 1995

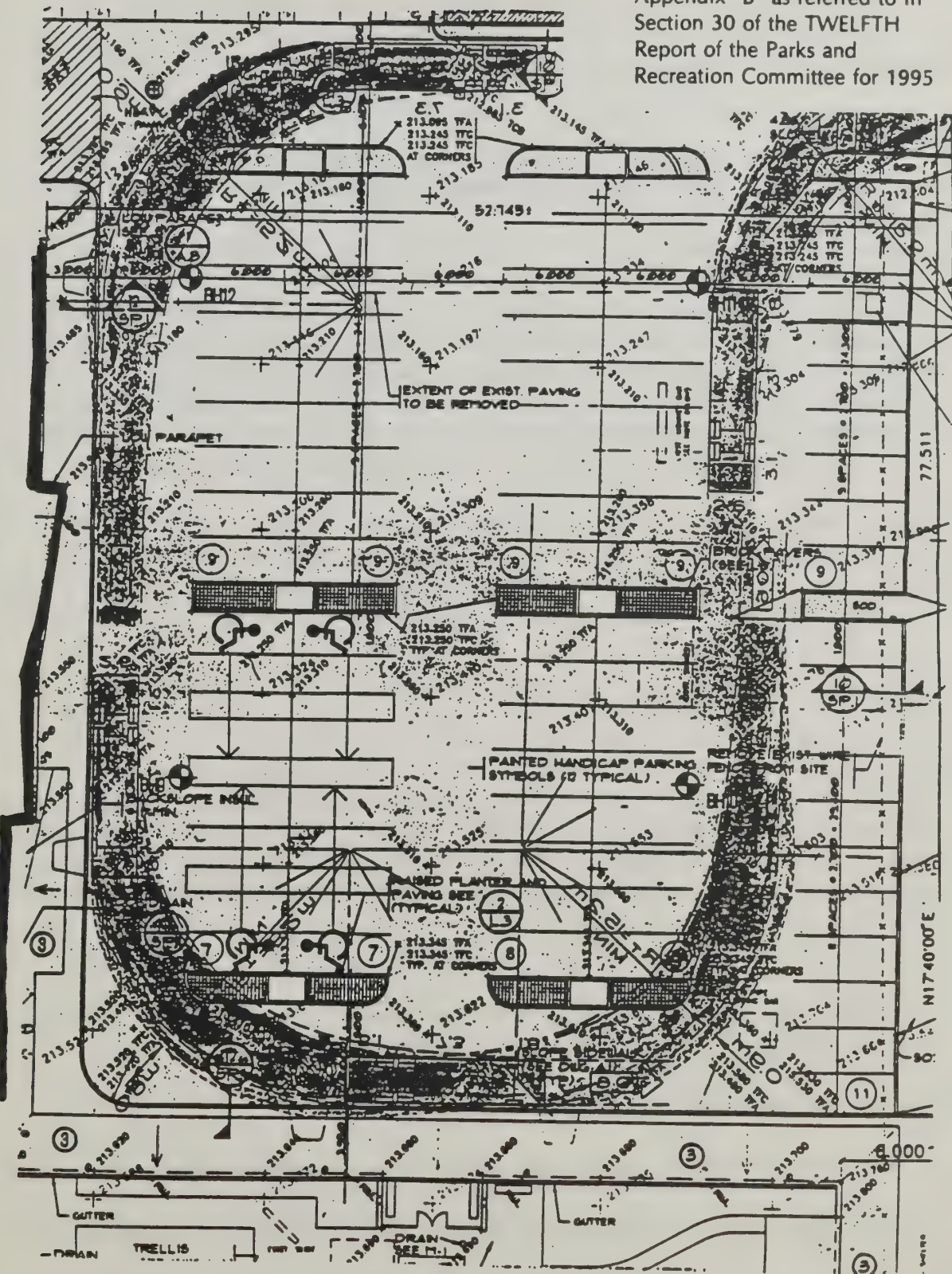


Appendix "B" as referred to in
Section 30 of the TWELFTH
Report of the Parks and
Recreation Committee for 1995

SENIOR'S CENTRE BLDG.

ENTER
EXIT

UPPER WENTWORTH ST.



MOHAWK ROAD



REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **THIRTEENTH** Report for 1995 and respectfully recommends:

1. That permission be granted to Hamilton Folk Arts Heritage Council to use Gage Park to sell alcoholic beverages on the occasion of the 25th Annual It's Your Festival that is being held 1995 June 30 - July 3 from 12:00 o'clock noon to 11:00 o'clock p.m., on a one time trial basis, subject to the provision of \$5 million Liquor Liability Insurance to be submitted 30 days in advance, naming the City as co-insured with a cross liability clause, together with other normal terms and conditions.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

2. That approval be given to enter into a contract with Clifford Restoration Limited, Scarborough in the amount of \$1,879,000., including G.S.T. for the restoration of Dundurn Castle being the lowest of three bids in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and be financed through Dundurn Castle Restoration Account No. CF 719441022.
3. That approval, as required by Section 24 (1) and Section 5 (b) and Section 11 (1) of the Parks By-law No. 77-221, be given to the organizations as follows:

Food and Non-Alcoholic and Alcoholic Beverages

(a) Hamilton Press Club - Globe Park - 1995 June 9, 10 and 11; and,

(b) Wentworth Adult Mixed Slo-Pitch - Globe Park - 1995 July 28, 29 and 30

to sell food and non-alcoholic and/or alcoholic beverages at those locations and dates subject to the following terms and conditions:

- (i) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and bodily Injury and proof of \$5 million Liquor Licence Liability Insurance to be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,
- (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
- (iii) That alcoholic beverages be served in a confined area of the Park upon receipt of approval of the Liquor Licence Board; and,
- (iv) That a Special Duty Officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
- (v) That the Concessionaire at Globe Park (if applicable) be contacted to make the necessary arrangements for the provision of food at that location; and,
- (vi) That those organizers and their workers who are providing Alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program".

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

Respectfully Submitted,

**ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE**

Stella Glover, Acting Secretary

1995 May 30

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTEENTH** Report for 1995 and respectfully recommends:

1. That amended Zoning Application ZAC-95-05, Peter Hatzoglou, Peter and John Zourntos, Aiden Tuite and Philip Mancini, owners, requesting an Official Plan amendment to modify Special Policy Area 46, and a further modification to the established "G-4" (Designed Neighbourhood Shopping Centre) District regulations, to permit additional commercial uses in an established commercial plaza, for property located at 30 Rymal Road East, as shown on the attached map marked as Appendix "A", be denied for the following reasons:
 - it conflicts with the intent of the Official Plan and the approved Allison Neighbourhood Plan; and,
 - it conflicts with intent of By-law No. 89-246 which rezoned the subject lands to "G-4" (Designed Neighbourhood Shopping Centre) District, modified which specifically limits the commercial uses to those only of a neighbourhood nature and prohibits high traffic generators; and,
 - approval of the application would encourage other similar applications which, if approved, would undermine the intent of the Official Plan and Zoning By-law.
2. That Zoning Application 95-08, Centennial Credit Union Limited, prospective owner, requesting an Official Plan Amendment to create a Special Policy Area to permit a Financial Institution within a Residential Designation and a change in zoning from "D" (Urban Protected Residential -One and Two Family Dwellings, etc.) District to "G" (Neighbourhood Shopping Centre, etc.) District to permit a Credit Union, for lands located at 220 & 222 Burlington Street East, shown on the attached map marked as Appendix "B", be denied for the following reasons:
 - (a) It conflicts with the intent of the approved North End East Neighbourhood Plan in that the subject lands are designated "Single and Double Residential"; and,
 - (b) The proposal would not be compatible with the existing residential development in the surrounding area; and,

- (c) There is an adequate supply of appropriately designated and zoned lands in the North End Neighbourhoods to accommodate the proposed use (i.e. "J" District lands to the north and "K" District lands to the east); and,
 - (d) The proposed use is considered a high traffic generator, and its location would have a negative impact on the current roadway pattern and increase traffic congestion on Burlington Street; and,
 - (e) Approval of the application would encourage other similar applications which, if approved, would undermine the intent of the Zoning By-law.
3. (a) That approval be given to Application CD-95-001, under the Rental Housing Protection Act, Roy Megna (In Trust), owner, for conversion of 19 rental apartment units to 19 condominium units for property located at 174 Herkimer Street, subject to the following conditions:
- (i) That the Owner offer, in writing, to the Tenants named in Appendix "C", the right to lease their current unit, noted in Appendix "C", for a period of not less than nine years, from the registration on title of the Rental Housing Protection Act (RHPA) Approval Agreement required below, at the rent rate set out in Appendix "C", upon the following minimum terms:
 - 1. the Offer must be made within 45 days of the date this resolution is approved by City Council and shall be open for acceptance by the Tenants for a period of at least 30 days; and,
 - 2. that leases entered into as a result of (i) above, be executed prior to the City's execution of the RHPA Approval Agreement; and,
 - 3. that the Tenants' rent shall not be increased during the duration of the lease but for increases permitted under the Residential Rent Regulation Act, as amended; and,
 - 4. that such lease shall commence on the date the Owner's Offer is accepted by signature of the Tenant; and,
 - 5. that the Tenants' may terminate the said lease at any time on 60 days written notice, without penalty.

- (ii) That the Owner grant to the Tenants named in Appendix "C" an Option to Purchase a Unit specified in Appendix "C", (together with appurtenant interests). Such Option shall allow each tenant at least three years from the registration on title of the RHPA Approval Agreement to exercise their Option to purchase a unit. Within forty-five (45) days of a Tenant's Notice that it is exercising the Option, the Owner and Tenant shall negotiate and enter into an Agreement of Purchase and Sale form, in a form acceptable to the Hamilton Real Estate Board, with the necessary amendments for the sale of a Unit by the Owner, which

Agreement shall incorporate the conditions in Appendix "D" annexed hereto; and,

- (iii) That the Tenant shall have 30 days from receipt of such Option to sign and return to the Owner a copy of the Option acknowledging that he is interested in having the Option in his/her favour and acknowledging that he/she realizes that a formal Notice in writing to the Owner signed by the Tenant shall be received by the Owner on or before the date for such Notice specified in the Option; and,
- (iv) That this RHPA approval shall cease and be at an end,
 - 1. if the Owner has sold the land without entering and registering the RHPA Approval Agreement with the City; and,
 - 2. in any event, within five years from the date of this approval resolution of Council, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton; and,
- (v) That the Owner shall enter into a RHPA Approval Agreement with the City satisfactory in form to the Director of Planning and Development and to the City Solicitor, incorporating the City's conditions of approval listed herein (and in Appendices "C", "D" and "E" annexed hereto) and register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval; and,
- (vi) In the event that the Owner proposes to sell all of the subject lands, he shall ensure that any prospective new land owner of the whole property, enters into an assumption agreement to assume the obligations of the Owner herein; and,

- (vii) That the Owner provide the City Solicitor with satisfactory evidence that any and all mortgagees of the property consent to the Rental Housing Protection Act (RHPA) application; and,
 - (viii) That the Owner pay all outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval; and,
 - (b) That upon satisfaction of the above-noted conditions, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.
4. (a) That approval be given to Application CD-95-002, under the Rental Housing Protection Act, Bruno Megna (In Trust), owner, for conversion of 20 rental apartment units to condominium units for property located at 93 Emerald Street South, subject to the following conditions:
- (i) That the Owner offer, in writing, to the Tenants named in Appendix "F", the right to lease their current unit, noted in Appendix "F", for a period of not less than three years from the registration on title of the Rental Housing Protection Act (RHPA) Approval Agreement required below, at the rent rate set out in Appendix "F", upon the following minimum terms:
 - (1) the Offer must be made within 45 days of the date this resolution is approved by City Council and shall be open for acceptance by the Tenants for a period of at least 30 days; and,
 - (2) that leases entered into as a result of (i) above, be executed prior to the City's execution of the RHPA Approval Agreement; and,
 - (3) that the Tenants' rent shall not be increased during the duration of the lease but for increases permitted under the Residential Rent Regulation Act, as amended; and,
 - (4) that such lease shall commence on the date the Owner's Offer is accepted by signature of the Tenant; and,
 - (5) that the Tenants' may terminate the said lease at any time on 60 days written notice, without penalty.
 - (ii) That the Owner grant to the Tenants named in Appendix "F" an Option to Purchase a Unit specified in Appendix "F", (together with appurtenant interests). Such Option shall allow each tenant at least three years from the registration on title of the RHPA Approval Agreement

to exercise their Option to purchase a unit. Within forty-five (45) days of a Tenant's Notice that it is exercising the Option, the Owner and Tenant shall negotiate and enter into an Agreement of Purchase and Sale form, in a form acceptable to the Hamilton Real Estate Board, with the necessary amendments for the sale of a Unit by the Owner, which Agreement shall incorporate the conditions in Appendix "G" annexed hereto; and,

- (iii) That the Tenant shall have 30 days from receipt of such Option to sign and return to the Owner a copy of the Option acknowledging that he is interested in having the Option in his/her favour and acknowledging that he/she realizes that a formal Notice in writing to the Owner signed by the Tenant shall be received by the Owner on or before the date for such Notice specified in the Option; and,
- (iv) That this RHPA approval shall cease and be at an end,
 - 1. if the Owner has sold the land without entering and registering the RHPA Approval Agreement with the City; and,
 - 2. in any event, within five years from the date of this approval resolution of Council, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton; and,
- (v) That the Owner shall enter into a RHPA Approval Agreement with the City satisfactory in form to the Director of Planning and Development and to the City Solicitor, incorporating the City's conditions of approval listed herein (and in Appendices "F", "G" and "H" annexed hereto) and register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval; and,
- (vi) In the event that the Owner proposes to sell all of the subject lands, he shall ensure that any prospective new land owner of the whole property, enters into an assumption agreement to assume the obligations of the Owner herein; and,
- (vii) That the Owner provide the City Solicitor with satisfactory evidence that any and all mortgagees of the property consent to the Rental Housing Protection Act (RHPA) application; and,

- (viii) That the Owner pay all outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval; and,
 - (b) That upon satisfaction of the above-noted conditions, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.
5. (a) That approval be given to Application CD-95-003, under the Rental Housing Protection Act, Roy Megna (In Trust), owner, for conversion of 39 rental apartment units to condominium units for the property located at 2373 King Street East, subject to the following conditions:
- (i) That the Owner offer, in writing, to the Tenants named in Appendix "I", the right to lease their current unit, noted in Appendix "I", for a period of not less than three years from the registration on title of the Rental Housing Protection Act (RHPA) Approval Agreement required below, at the rent rate set out in Appendix "I", upon the following minimum terms:
 - (1) the Offer must be made within 45 days of the date this resolution is approved by City Council and shall be open for acceptance by the Tenants for a period of at least 30 days; and,
 - (2) that leases entered into as a result of (i) above, be executed prior to the City's execution of the RHPA Approval Agreement; and,
 - (3) that the Tenants' rent shall not be increased during the duration of the lease but for increases permitted under the Residential Rent Regulation Act, as amended; and,
 - (4) that such lease shall commence on the date the Owner's Offer is accepted by signature of the Tenant; and,
 - (5) that the Tenants' may terminate the said lease at any time on 60 days written notice, without penalty.
 - (ii) That the Owner grant to the Tenants named in Appendix "I" an Option to Purchase a Unit specified in Appendix "I", (together with appurtenant interests). Such Option shall allow each tenant at least three years from the registration on title of the RHPA Approval Agreement to exercise their Option to purchase a unit. Within forty-five (45) days of a Tenant's

Notice that it is exercising the Option, the Owner and Tenant shall negotiate and enter into an Agreement of Purchase and Sale form, in a form acceptable to the Hamilton Real Estate Board, with the necessary amendments for the sale of a Unit by the Owner, which Agreement shall incorporate the conditions in Appendix "J" annexed hereto; and,

- (iii) That the Tenant shall have 30 days from receipt of such Option to sign and return to the Owner a copy of the Option acknowledging that he is interested in having the Option in his/her favour and acknowledging that he/she realizes that a formal Notice in writing to the Owner signed by the Tenant shall be received by the Owner on or before the date for such Notice specified in the Option; and,
- (iv) That this RHPA approval shall cease and be at an end,
 - 1. if the Owner has sold the land without entering and registering the RHPA Approval Agreement with the City; and,
 - 2. in any event, within five years from the date of this approval resolution of Council, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton; and,
- (v) That the Owner shall enter into a RHPA Approval Agreement with the City satisfactory in form to the Director of Planning and Development and to the City Solicitor, incorporating the City's conditions of approval listed herein (and in Appendices "I", "J" and "K" annexed hereto) and register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval; and,
- (vi) In the event that the Owner proposes to sell all of the subject lands, he shall ensure that any prospective new land owner of the whole property, enters into an assumption agreement to assume the obligations of the Owner herein; and,
- (vii) That the Owner provide the City Solicitor and the Director of Planning and Development with satisfactory evidence that any and all mortgagees of the property consent to the Rental Housing Protection Act (RHPA) application; and,
- (viii) That the Owner pay all outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval; and,

- (b) That upon satisfaction of the above-noted conditions, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.
- 6.
- (a) That approval be given to application SAC-94-01 (Regional File No. 25T-94002), 603976 Ontario Limited (Terra Homes), owner, to establish a draft plan of subdivision "San Lorenzo Heights", for lands located east of Upper James Street and north of Chipman Avenue, as shown on the attached map marked as Appendix "L", subject to the following conditions:
 - (i) That this approval apply to the plan, prepared by A.J. Clark and Associates and certified by B.J. Clark, O.L.S., dated April 21, 1994, now red line revised, showing 50 lots for single detached dwellings, and a 0.3 metre reserve (Block 51); and,
 - (ii) That the final plan conform with the applicable provisions of the "C" (Urban Protected Residential, etc.) District in the City of Hamilton Zoning By-law No. 6593; and,
 - (iii) That the proposed plan of subdivision not be registered until a road connection has been approved for construction on the existing portion of Ridge Street from Chipman Avenue to the south limit of the proposed plan of subdivision; and,
 - (iv) That the north/south portion of Street "A" to the east of Lot 1 be established to its full width prior to the registration of the Final Plan of subdivision; and,
 - (v) That a 0.30 metre reserve be established, as a block, on the Final Plan of subdivision along the north limits of Street "A", at the dead-end, and that the owner agree to convey the reserve to the City of Hamilton, by deed, following registration of the Final Plan of subdivision; and,
 - (vi) That the owner establish 9.0 metre transitional curves into and out of the cul-de-sac bulbs on Street "A" and Court "B" on the Final Plan of subdivision; and,
 - (vii) That a minimum 2.0 x 2.0 metre daylight triangle be established at the corner of Lot 30 on the Final Plan of subdivision; and,
 - (viii) That the Owner be required to enter into a subdivision agreement with the City of Hamilton prior to development of any portion of these lands; and,

- (ix) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton as provided for under section 51 of the Planning Act; and,
 - (x) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement, prior to the issuance of a final release by the City of Hamilton; and,
 - (xi) That the streets be named to the satisfaction of the City of Hamilton; and,
 - (xii) That the streets be dedicated to the City of Hamilton as public highways in the final plan; and,
 - (xiii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority; and,
 - (xiv) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the Subdivision in the Final Plan; and,
 - (xv) That the proposed plan of Subdivision not be registered until the holding provision in the Zoning By-law has been removed; and,
 - (xvi) That the owner agree in writing, to satisfy all the requirements, financial and otherwise, of the City of Hamilton; and,
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (SAC-94-01/25T-94002), "San Lorenzo Heights", proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,
- (c) That the approved Jerome Neighbourhood Plan be amended as follows (see Appendix "M"):
- (i) From "Civic and Institutional" to "Single and Double Residential" for the parcel of land extending approximately 130 m east and 90 m north of the north-east corner of the proposed "San Lorenzo Heights" plan of subdivision; and,

- (ii) From "Single and Double Residential" to "Civic and Institutional" for the parcel of land located to the north of Lots 14 to 20 inclusive of the proposed "San Lorenzo Heights" plan of subdivision, and extending to a depth of approximately 100 m; and,
 - (iii) The road pattern be revised based on the termination of Ridge Street at the intersection of Ridge Street and Street "A" and the northerly extension of Street "A" to the proposed extension of Towercrest Drive; and,
 - (d) That the City Clerk be directed to advise the Regional Commissioner of Planning and Development of Council's decision.
7. (a) That approval be given to the "Intent to Designate" 207, 211, 213, 215 Ferguson Avenue South (4 units of 50-unit Victorian rowhouse) as properties of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1989, as outlined in the Reasons for Designation attached herewith and marked Appendix "N"; and,
- (b) That the City Solicitor be authorized as directed to take appropriate action to have these properties designated pursuant to the provisions of the Ontario Heritage Act, 1989.
8. (a) That Section 7 of By-law No. 84-35 respecting Domestic and Industrial Waste be repealed and the following substituted;
7. (1) "The Commissioner or an Inspector may make an Order sent by regular mail to the last known address on the assessment records, to the owner, lessee or occupant, and by posting on site, requiring the owner, lessee or occupant, within the time specified in the Order:
- (i) to keep his private drains in repair; and,
 - (ii) to alter or relay his private drains; and,
 - (iii) to provide for the sanitary disposal of sewage and drainage from his land or structure; and,
 - (iv) to clean, clear or remove from the land or structure garbage, refuse or domestic or industrial waste of any kind; and,

- (v) to cease using the land or structure for the dumping or disposing of garbage, refuse, or domestic or industrial waste of any kind; and,
- (vi) to cover over, screen, shield or enclose the garbage, refuse or the domestic or industrial waste in the manner prescribed by the Commissioner or Inspector; and,
- (vii) Every Order sent by the Commissioner or Inspector, shall identify the land or structure; and,

(b) That the appropriate By-law be enacted by Council.

- 9. That the total outstanding Community Heritage Loan for Mr. C. Kopriva, 235 Locke Street North, Hamilton, in the amount of six thousand, four hundred and eighty-one dollars and twenty cents (\$6,481.20) be placed on the tax rolls.
- 10. That the Building Commissioner be directed to waive the requirement of charging administration fees for Committee of Adjustment applications and Property Reports in relation to the implementation of the Barton Street Redevelopment Program for the area described under By-law No. 87-178, Barton East #1 BIA. This directive shall expire 1997 December 31.
- 11. That the Building Commissioner be authorized to issue a demolition permit for 514-516 Burlington Street East, in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.
- 12. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearing regarding an appeal to the Committee of Adjustment decision to deny Application No. A-95-57, respecting property located at No. 187 Napier Street.
- 13. (a) That approval be given to Zoning Application ZAR-95-16, 891157 Ontario Limited (R. Yates), owner, requesting removal of the 'H' - Holding provision under Section 36 of the Planning Act, to permit commercial development including a restaurant use, for property located at No. 1010-1024 Upper Wentworth Street, as shown on the attached map marked as Appendix "O". The 'H' - Holding provision was placed on the subject lands conditional upon the applicant/owner receiving Site Plan approval, and receiving approvals and amendments for access to the lands from Regional Council, as required by the Regional Roads Department, which conditions have now been satisfied; and,

- (b) That the Director of Planning be directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by By-laws No. 85-171 and No. 93-145, and Zoning District Map E-18A, in a form satisfactory to the City Solicitor, for presentation to City Council.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico, Ross. -15.

NAYS: Aldermen Merling, Anderson. -2.

CARRIED.

14. That the City of Hamilton accept the sum of \$115,225.00 as a cash payment in lieu of the 5% land dedication in connection with Wisemount Estates - Phase 7, Hamilton, located in the Lisgar Neighbourhood on the west side of Upper Kenilworth Avenue, between Landron Avenue and Limeridge Road East, being the cash payment required under Section 51.1 of the Planning Act.
15. That the City of Hamilton not accept the counter Offer to Purchase in the amount of \$689,000 for the property at 66-68 King Street East (former Foster Building) and that the City take no further action with respect to purchasing this property.
16. That the City of Hamilton forward directly to C.P. the request of the MacNab-Charles Heritage Conservation District Advisory Committee for a buffer to the railway noise and air pollution on the C.P./GO Transit Line Hurst Place (Park to Charles Streets).
17. That leave be granted to introduce the following Bills:
- (a) C-38 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1445 Main Street West.
 - (b) C-39 A By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 1445 Main Street West.
 - (c) C-40 A By-law to Amend Zoning By-Law No. 6593 Respecting Land Located at Municipal No. 370 Main Street East.
 - (d) C-41 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-laws No. 85-171 and 93-145, Respecting Lands Located at Municipal Nos. 1010-1024 Upper Wentworth Street.

- (e) C-42 A By-law to Amend By-law No. 84-35 to Provide for Maintaining Land in a Clean and Clear Condition.

18. (a) That the budget as outlined in Appendix "P" attached hereto, be approved for a street festival to be held 1995 June 25 as part of the Revitalization of Barton Street; and,

(b) That the City Treasurer be authorized and directed to forward \$8,666. (\$10,822. - 20% holdback) for the Street Festival to the Barton Street B.I.A. The outstanding balance of \$2,167. to be forwarded upon submission of a statement of account.

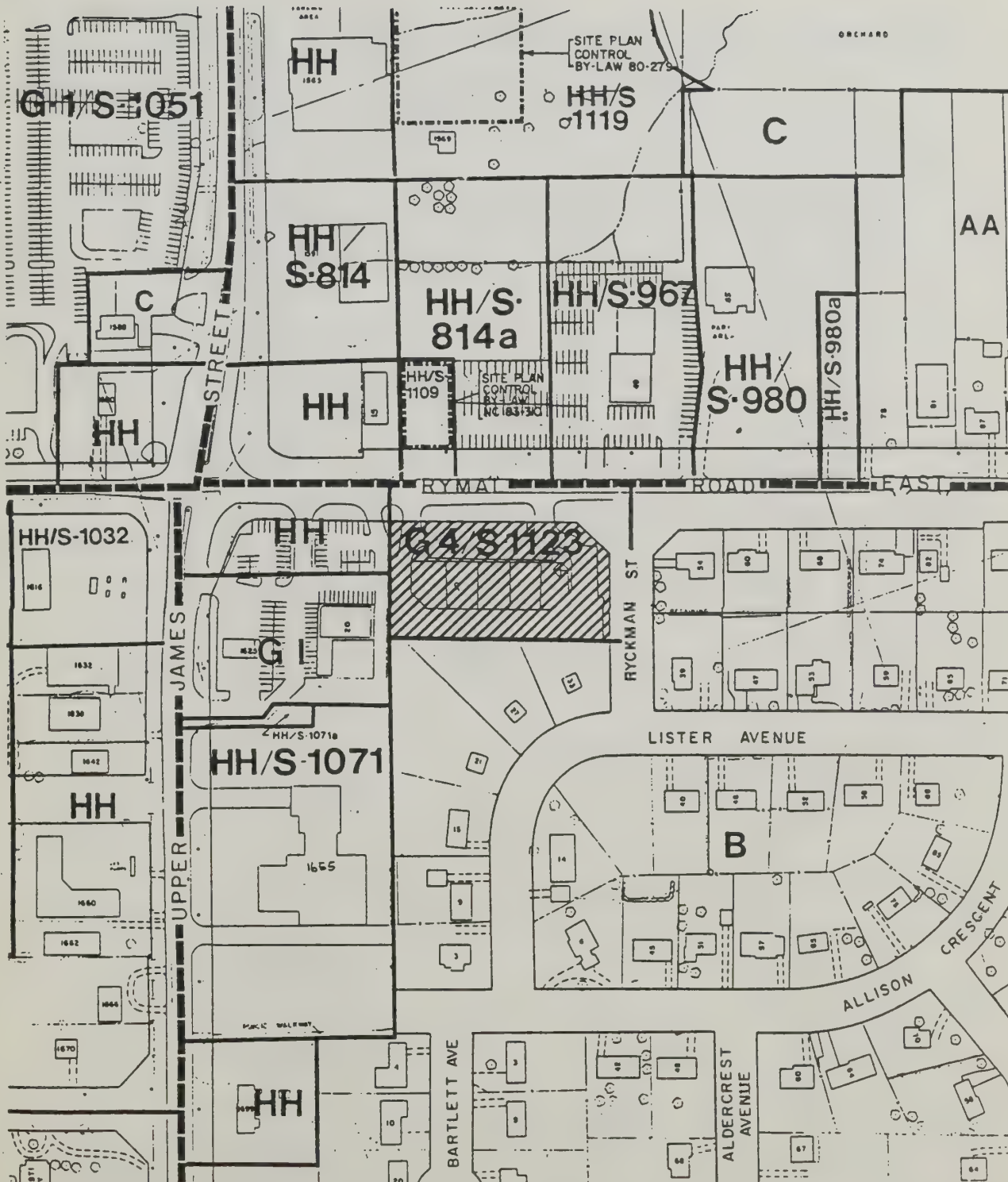
ADDED.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Stella Glover
Secretary**

1995 May 24

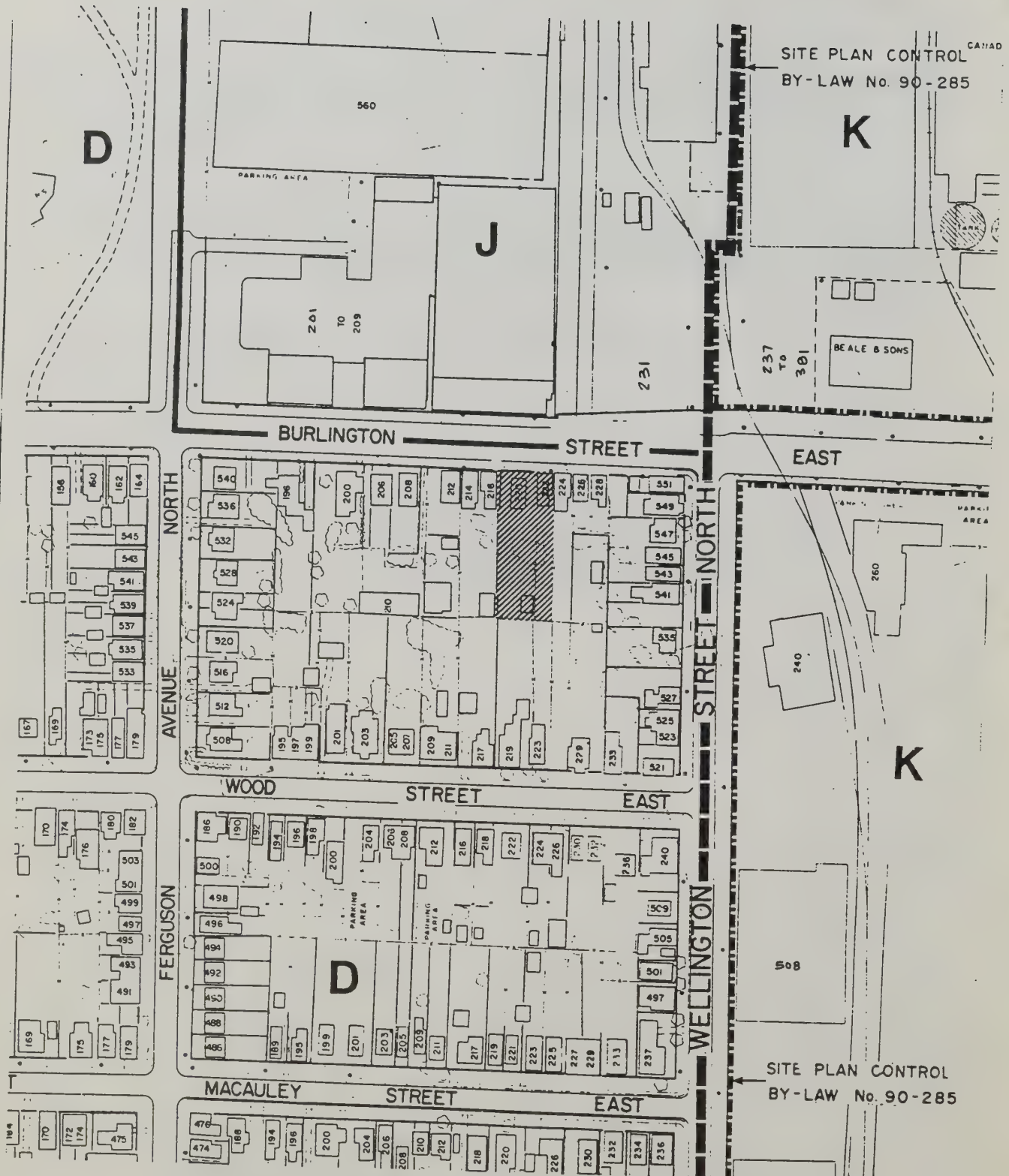


Legend



Site of the Application





Legend



Site of the Application

ZAC-95-08

TENANTS AND MONTHLY RENTAL CHARGES AS OF MAY, 1995174 HERKIMER STREET

Apt. 101	John P. Tenute 174 Herkimer Street Hamilton, Ontario L8P 2H4 Two-Bedroom/\$465.38	Apt. 204	Wahid Aburkhris 174 Herkimer Street Hamilton, Ontario L8P 2H4 Two-Bedroom/\$471.70
Apt. 102	Jodi-Ann Sedore & Deanne Riley 174 Herkimer Street Hamilton, Ontario L8P 2H4 Two-Bedroom/\$474.86	Apt. 301	Cynthia Dean 174 Herkimer Street Hamilton, Ontario L8P 2H4 Two-Bedroom/\$478.03
Apt. 103	Sharon McKee & Muria Daw 174 Herkimer Street Hamilton, Ontario L8P 2H4 Two-Bedroom/\$478.98	Apt. 302	Marlene Gregson 174 Herkimer Street Hamilton, Ontario L8P 2H4 Two-Bedroom/\$469.17
Apt. 201	Penny Fischer 174 Herkimer Street Hamilton, Ontario L8P 2H4 Two-Bedroom/\$465.38	Apt. 303	Englea McAra & K. Johnson 174 Herkimer Street Hamilton, Ontario L8P 2H4 Two-Bedroom/\$481.82
Apt. 202	Valli Vurma 174 Herkimer Street Hamilton, Ontario L8P 2H4 Two-Bedroom/\$465.38	Apt. 304	Darryl & Jennifer Frewin 174 Herkimer Street Hamilton, Ontario L8P 2H4 Two-Bedroom/\$459.68
Apt. 203	Mr. & Mrs. V. Ozols 174 Herkimer Street Hamilton, Ontario L8P 2H4 Two-Bedroom/\$464.11	Apt. 401	Julia Paskevicius 174 Herkimer Street Hamilton, Ontario L8P 2H4 Two-Bedroom/\$481.82

Apt. 402 Joan Hambleton
 174 Herkimer Street
 Hamilton, Ontario
 L8P 2H4

Two-Bedroom/\$481.82

Apt. 403 Linda & Evald Lattik
 174 Herkimer Street
 Hamilton, Ontario
 L8P 2H4

Two-Bedroom/\$484.35

Apt. 404 Tom & Terri Whitworth
 174 Herkimer Street
 Hamilton, Ontario
 L8P 2H4

Two-Bedroom/\$488.78

Apt. 501 Virginia Keleher
 174 Herkimer Street South
 Hamilton, Ontario
 L8P 2H4

Two-Bedroom/\$490.05

Apt. 502 Frances Hill
 174 Herkimer Street
 Hamilton, Ontario
 L8P 2H4

Two-Bedroom/\$477.71

Apt. 503 Varju Reio
 174 Herkimer Street
 Hamilton, Ontario
 L8P 2H4

Two-Bedroom/\$434.38

Apt. 504 Jane R. Mac Beth
 174 Herkimer Street
 Hamilton, Ontario
 L8P 2H4

Two-Bedroom/\$477.71

Garage Paul Boyd
 174 Herkimer Street
 Hamilton, Ontario
 L8P 2H4

Garage/\$154.80

The Agreement of Purchase and Sale shall provide,

- (a) that the sale shall be completed within One Hundred and Twenty (120) days of execution of the agreement, unless otherwise agreed by the Tenant and Owner; and,
- (b) that the purchase price for a Unit be the price agreed upon between the Owner and the Tenant which price shall not exceed the dollar value assigned to the Unit by an accredited appraiser of real property less,
 - i) \$4,000.00 or 5.0 percent of the appraised dollar value of the Unit, whichever is greater; and,
 - ii) 25.0 percent of the total rental payments made by the Tenant in the preceding 12-month period prior to date the Agreement of Purchase and Sale is executed between the Tenant and the Owner.

The aforementioned accredited appraiser of real property shall be retained at the expense of the owner and the appraisal of the unit shall be conducted within 21 days of the Tenant exercising their Option to purchase a unit.

The conditions of RHPA approval are subject to the following standard terms, which terms shall form part of the applicable document:

- (a) The following documents, namely the RHPA Approval Agreement, the leases and the Options to Purchase shall be prepared by the Owner and registered by the Owner at its expense, including payment of registration fees.
- (b) If the Tenant at any time vacates their rental unit, the Tenant's rights pursuant to lease and the Option to Purchase shall cease. The Tenant may not enter into an Agreement of Purchase and Sale unless the Tenant is at the time of its execution in possession of a rental unit.
- (c) The Tenant's rights under the RHPA Approval Agreement, the lease, and the Option to Purchase shall be personal to the named Tenant(s) only and not assignable by the Tenant(s) to anyone, unless approved by the owner, in the owners absolute discretion.
- (d) If the Director of Planning and Development receives a declaration from the Owner that a Tenant named in Appendix "A" has not, or does not want, to enter into the said lease or the said Option or both of them, or that the Tenant has vacated the rental unit, the Director of Planning and Development shall send by registered mail to the Tenant at the rental unit listed in Appendix "A", a Notice that the Tenant's rights to the lease or Option, as the case may be, shall cease within twenty-one days of the mailing of the Notice unless the Tenant is still in possession of the premises and has within the said twenty-one day period, collected such document from the Owner and returned to the Owner a copy of the document signed by the Tenant. The Owner shall sign and return the document to the Tenant in accordance with the other time limits of this approval.

TENANTS AND MONTHLY RENTAL CHARGES AS OF MAY 8, 1995**93 EMERALD STREET SOUTH**

Apt. 201	(Vacant) 93 Emerald Street South Hamilton, Ontario L8N 2V4 One-Bedroom/\$498.49	Apt. 302	Trevor & Lora Hurtubise 93 Emerald Street South Hamilton, Ontario L8N 2V4 One-Bedroom/\$530.07
Apt. 202	Jessie Hardie 93 Emerald Street South Hamilton, Ontario L8N 2V4 One-Bedroom/\$508.46	Apt. 303	Mary Canning 93 Emerald Street South Hamilton, Ontario L8N 2V4 Bachelor/\$412.05
Apt. 203	Fred Walton 93 Emerald Street South Hamilton, Ontario L8N 2V4 Bachelor/\$549.51	Apt. 304	Don & Marrell Wood 93 Emerald Street South Hamilton, Ontario L8N 2V4 One-Bedroom/\$752.79
Apt. 204	Brian Faubert 93 Emerald Street South Hamilton, Ontario L8N 2V4 One-Bedroom/\$486.86	Apt. 305	Catharine Copeland 93 Emerald Street South Hamilton, Ontario L8N 2V4 One-Bedroom/\$484.70
Apt. 205	John Forand 93 Emerald Street South Hamilton, Ontario L8N 2V4 One-Bedroom/\$514.62	Apt. 401	Thomas Blanchard 93 Emerald Street South Hamilton, Ontario L8N 2V4 One-Bedroom/\$504.76
Apt. 301	Claudette Hurtubise 93 Emerald Street South Hamilton, Ontario L8N 2V4 One-Bedroom/\$727.37	Apt. 402	Carolyn Vanderschof 93 Emerald Street South Hamilton, Ontario L8N 2V4 One-Bedroom/\$538.38

Apt. 403	Albert Liebing 93 Emerald Street South Hamilton, Ontario L8N 2V4 Bachelor/\$437.19
Apt. 404	Brian Burkholder 93 Emerald Street South Hamilton, Ontario L8N 2V4 One-Bedroom/\$781.04
Apt. 405	Mary Krestynski 93 Emerald Street South Hamilton, Ontario L8N 2V4 One-Bedroom/\$499.66
Apt. 501	Owner Occupied 93 Emerald Street South Hamilton, Ontario L8N 2V4 One-Bedroom/\$474.73
Apt. 502	Clem Gagner & Mike Vincent 93 Emerald Street South Hamilton, Ontario L8N 2V4 One-Bedroom/\$518.44
Apt. 503	David MacIntyre 93 Emerald Street South Hamilton, Ontario L8N 2V4 Bachelor/\$437.19
Apt. 504	Geraldine Greenwood 93 Emerald Street South Hamilton, Ontario L8N 2V4 One-Bedroom/\$508.46
Apt. 505	Norman Wreaks 93 Emerald Street South Hamilton, Ontario L8N 2V4 One-Bedroom/\$491.84

The Agreement of Purchase and Sale shall provide,

- (a) that the sale shall be completed within One Hundred and Twenty (120) days of execution of the agreement, unless otherwise agreed by the Tenant and Owner; and,
- (b) that the purchase price for a Unit be the price agreed upon between the Owner and the Tenant which price shall not exceed the dollar value assigned to the Unit by an accredited appraiser of real property less,
 - i) \$4,000.00 or 5.0 percent of the appraised dollar value of the Unit, whichever is greater; and,
 - ii) 25.0 percent of the total rental payments made by the Tenant in the preceding 12-month period prior to date the Agreement of Purchase and Sale is executed between the Tenant and the Owner.

The aforementioned accredited appraiser of real property shall be retained at the expense of the owner and the appraisal of the unit shall be conducted within 21 days of the Tenant exercising their Option to purchase a unit.

The conditions of RHPA approval are subject to the following standard terms, which terms shall form part of the applicable document:

- (a) The following documents, namely the RHPA Approval Agreement, the leases and the Options to Purchase shall be prepared by the Owner and registered by the Owner at its expense, including payment of registration fees.
- (b) If the Tenant at any time vacates their rental unit, the Tenant's rights pursuant to lease and the Option to Purchase shall cease. The Tenant may not enter into an Agreement of Purchase and Sale unless the Tenant is at the time of its execution in possession of a rental unit.
- (c) The Tenant's rights under the RHPA Approval Agreement, the lease, and the Option to Purchase shall be personal to the named Tenant(s) only and not assignable by the Tenant(s) to anyone, unless approved by the owner, in the owners absolute discretion.
- (d) If the Director of Planning and Development receives a declaration from the Owner that a Tenant named in Appendix "A" has not, or does not want, to enter into the said lease or the said Option or both of them, or that the Tenant has vacated the rental unit, the Director of Planning and Development shall send by registered mail to the Tenant at the rental unit listed in Appendix "A", a Notice that the Tenant's rights to the lease or Option, as the case may be, shall cease within twenty-one days of the mailing of the Notice unless the Tenant is still in possession of the premises and has within the said twenty-one day period, collected such document from the Owner and returned to the Owner a copy of the document signed by the Tenant. The Owner shall sign and return the document to the Tenant in accordance with the other time limits of this approval.

TENANTS AND MONTHLY RENTAL CHARGES AS OF MAY 9, 1995**2373 King Street East**

Apt. 11	Gloria Bruce 2373 King Street East Apt. 11 Hamilton, Ontario L8K 1X9 One-Bedroom/\$557.10	Apt. 18	John Wilkins 2373 King Street East Apt. 18 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41
Apt. 12	Brian Floresco 2373 King Street East Apt. 12 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41	Apt. 21	VACANT 2373 King Street East Apt. 21 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41
Apt. 14	Werner Bebas 2373 King Street East Apt. 14 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41	Apt. 22	Christopher Massie 2373 King Street East Apt. 22 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41
Apt. 15	Carrie Floresco 2373 King Street East Apt. 15 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41	Apt. 23	Gloria Manduik 2373 King Street East Apt. 23 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41
Apt. 16	John Coviell and Diana Ciotti 2373 King Street East Apt. 16 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41	Apt. 24	Nancy Beauchamp 2373 King Street East Apt. 24 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41
Apt. 17	Sandra Myers 2373 King Street East Apt. 17 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41	Apt. 25	Vern and Mary Ellen Morrell 2373 King Street East Apt. 25 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41

Apt. 26	Jim Pringle 2373 King Street East Apt. 26 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41	Apt. 35	Rose Sullivan 2373 King Street East Apt. 35 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41
Apt. 27	Steve Sauve 2373 King Street East Apt. 27 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41	Apt. 36	Wayne Manion 2373 King Street East Apt. 36 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41
Apt. 28	Gary Marshall 2373 King Street East Apt. 28 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41	Apt. 37	Kevin Hanna 2373 King Street East Apt. 37 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41
Apt. 31	Mary Charbonneau 2373 King Street East Apt. 31 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41	Apt. 38	Gerald Dinn and Sandra Kelly 2373 King Street East Apt. 38 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41
Apt. 32	Richard Grant 2373 King Street East Apt. 32 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41	Apt. 41	Reca Reid and Stephen Alexander 2373 King Street East Apt. 41 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41
Apt. 33	Stacey Mullins 2373 King Street East Apt. 33 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41	Apt. 42	Martin Edwards 2373 King Street East Apt. 42 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41
Apt. 34	Ross Rhyro 2373 King Street East Apt. 34 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41	Apt. 43	Alex Podworny 2373 King Street East Apt. 43 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41

Apt. 44	Norman Bonvie 2373 King Street East Apt. 44 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41	Apt. 53	Henri Niewland 2373 King Street East Apt. 53 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41
Apt. 45	Brenda Dwyer 2373 King Street East Apt. 45 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41	Apt. 54	Joe Chabot and Tara Diamond 2373 King Street East Apt. 54 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41
Apt. 46	Claudia Knowles 2373 King Street East Apt. 46 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41	Apt. 55	Daniel Gunn 2373 King Street East Apt. 55 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41
Apt. 47	John Uveges 2373 King Street East Apt. 47 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41	Apt. 56	VACANT 2373 King Street East Apt. 56 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41
Apt. 48	Igor Hode and Roman Kezman 2373 King Street East Apt. 48 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41	Apt. 57	Allan Patterson 2373 King Street East Apt. 57 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41
Apt. 51	Mildred Hill 2373 King Street East Apt. 51 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41	Apt. 58	Ken Weddell 2373 King Street East Apt. 58 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41
Apt. 52	Anthony Cerovac 2373 King Street East Apt. 52 Hamilton, Ontario L8K 1X9 One-Bedroom/\$579.41		

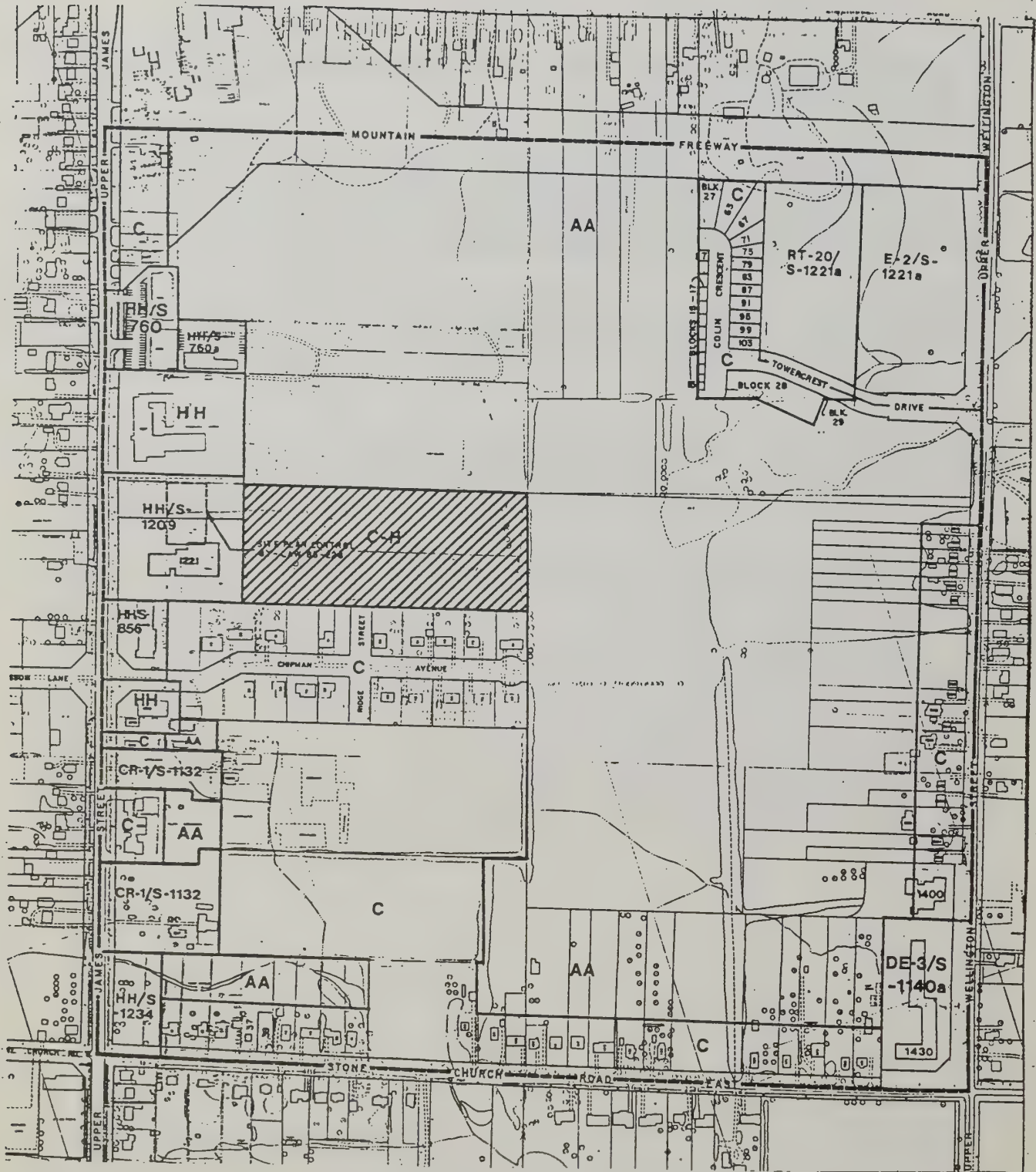
The Agreement of Purchase and Sale shall provide,

- (a) that the sale shall be completed within One Hundred and Twenty (120) days of execution of the agreement, unless otherwise agreed by the Tenant and Owner; and,
- (b) that the purchase price for a Unit be the price agreed upon between the Owner and the Tenant which price shall not exceed the dollar value assigned to the Unit by an accredited appraiser of real property less,
 - i) \$4,000.00 or 5.0 percent of the appraised dollar value of the Unit, whichever is greater; and,
 - ii) 25.0 percent of the total rental payments made by the Tenant in the preceding 12-month period prior to date the Agreement of Purchase and Sale is executed between the Tenant and the Owner.

The aforementioned accredited appraiser of real property shall be retained at the expense of the owner and the appraisal of the unit shall be conducted within 21 days of the Tenant exercising their Option to purchase a unit.

The conditions of RHPA approval are subject to the following standard terms, which terms shall form part of the applicable document:

- (a) The following documents, namely the RHPA Approval Agreement, the leases and the Options to Purchase shall be prepared by the Owner and registered by the Owner at its expense, including payment of registration fees.
- (b) If the Tenant at any time vacates their rental unit, the Tenant's rights pursuant to lease and the Option to Purchase shall cease. The Tenant may not enter into an Agreement of Purchase and Sale unless the Tenant is at the time of its execution in possession of a rental unit.
- (c) The Tenant's rights under the RHPA Approval Agreement, the lease, and the Option to Purchase shall be personal to the named Tenant(s) only and not assignable by the Tenant(s) to anyone, unless approved by the owner, in the owners absolute discretion.
- (d) If the Director of Planning and Development receives a declaration from the Owner that a Tenant named in Appendix "A" has not, or does not want, to enter into the said lease or the said Option or both of them, or that the Tenant has vacated the rental unit, the Director of Planning and Development shall send by registered mail to the Tenant at the rental unit listed in Appendix "A", a Notice that the Tenant's rights to the lease or Option, as the case may be, shall cease within twenty-one days of the mailing of the Notice unless the Tenant is still in possession of the premises and has within the said twenty-one day period, collected such document from the Owner and returned to the Owner a copy of the document signed by the Tenant. The Owner shall sign and return the document to the Tenant in accordance with the other time limits of this approval.



Legend



Site of the Application





- 666

REASONS FOR DESIGNATION

207, 211, 213, 215 Ferguson Avenue South

Context

207, 211, 213, 215 Ferguson Avenue South make up four units of the five-unit rowhouse built in 1886-7, just north of Charlton Avenue East. Situated in the historic Corktown neighbourhood, this brick terrace overlooking the grounds of Queen Victoria Public School is an integral component of a continuous streetscape of late 19th and early 20th century buildings extending from the base of the escarpment along the east side of Ferguson to Forest Avenue and westward along Forest to Walnut Street. Directly south of Charlton stands the *designated* High Victorian brick rowhouse at 219-227 Ferguson Avenue, and the former high level pumping station built in 1912. The open space opposite #207-215 was once occupied by a row of modest frame and brick dwellings, demolished when the new public school was built in 1963. To the rear of the terrace is a low-rise housing development, built recently on an industrial site formerly occupied by the Armstrong Cartage Company.

With the building of the Hamilton-Lake Erie Railroad in the 1870s, Ferguson Avenue became the city's major north-south railway corridor. Present-day Ferguson Avenue, now that the tracks have been removed, has the potential to be one of Hamilton's most important mountain-to-bay linkages for both vehicular and pedestrian traffic. The historic buildings along Ferguson Avenue take on additional significance due to their location on this major north-south corridor.

Architecture

One record of Hamilton's rapid growth in the latter part of the 19th century is the proliferation of brick rowhousing which appeared in downtown neighbourhoods at this time. Typical of the more modest vernacular terraces erected in the 1880s and 1890s, 207-215 Ferguson Avenue South is one of relatively few surviving examples of this type in the Corktown neighbourhood, notable for its finely crafted wood detailing. Each unit features parapet end or dividing walls with built-in chimneys, two off-centred

upper windows, and a single bay window with the hexagonal form characteristic of 1880s rowhousing. Its long front facade, stepped slightly to accommodate the gently sloping site, is dominated by the five large bay windows, originally all featuring sash windows, colonnettes, and bracketed eaves. The exposed brick masonry of units #207 and #213 reveal the original segmental arches over the front doorway and second-storey windows, accentuated by contrasting brick key and corner stones. In their original form, the doorways were noteworthy for their arched transom lights and wood lintels embellished with rope moulding and fretwork (restored at #213). Beneath the soffits were decorative dentil bands (intact on only two units). Minor alterations have to some extent undermined the architectural integrity of the row as a whole: painting of the brick masonry, parging of parapet walls, replacement of original doors and windows, and removal or covering of decorative wood elements, but these changes are for the most part reversible.

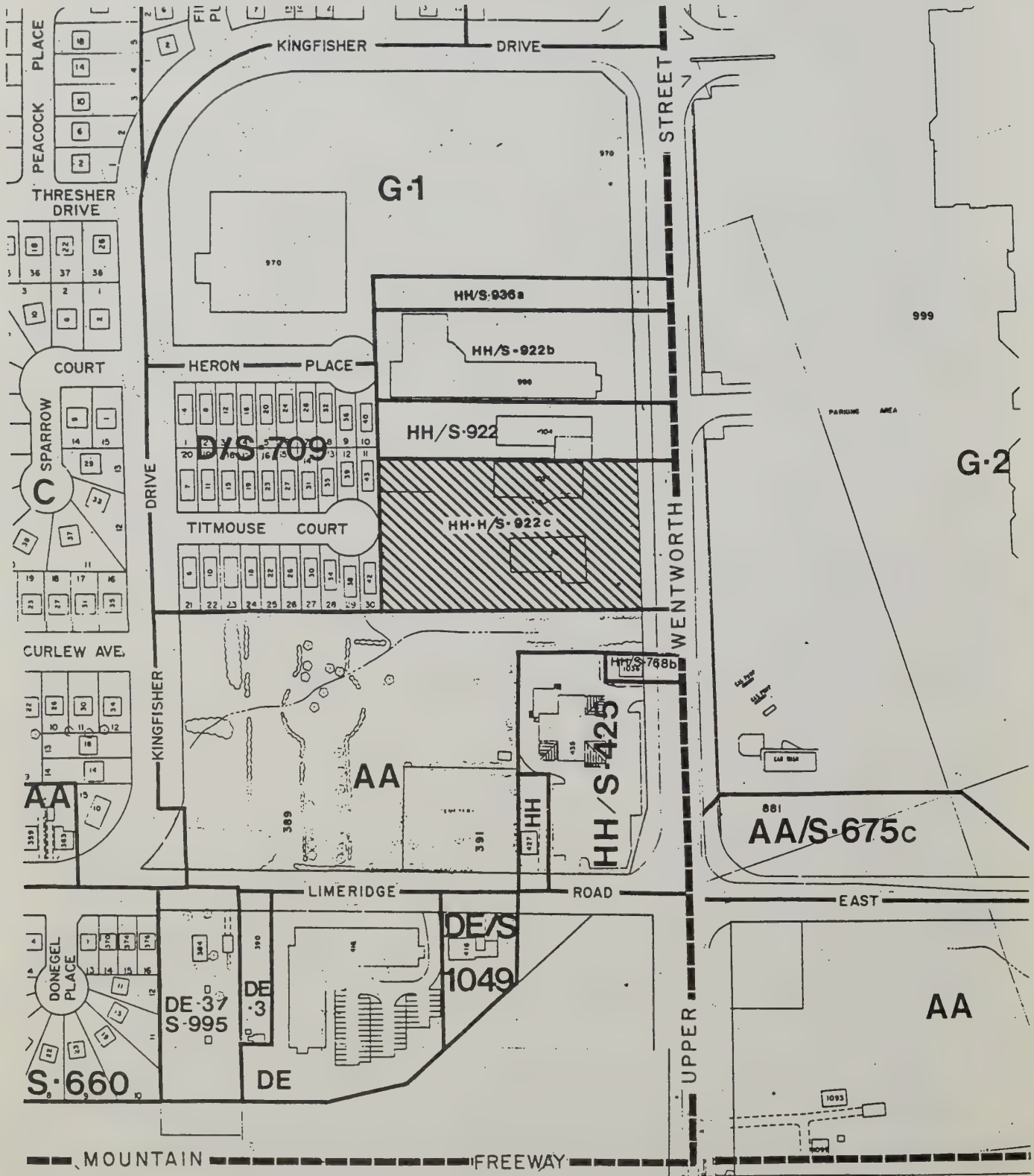
History

Built as an investment property for Margaret McIntyre, the end unit at #207 was initially occupied by John McIntyre from 1887–9. Following Margaret's death, the rowhouse was sold by the executors of her estate in 1919. It then changed hands three more times before being subdivided and sold as five separate units between 1920 and 1921.

Designated Features

Important to the preservation of 207, 211, 213, 215 Ferguson Avenue South are the original features of the west (front), south (#215), and north (#207) facades, including the roof and parapet walls, the doorways and window openings (excluding any modern replacement windows and all five doors), the bay windows, and any surviving original wood trim. Excluded is the added verandah at #215.

1995 May 30



Legend



Site of the Application

BARTON STREET FESTIVAL**PROJECTED BUDGET****EXPENDITURES:**

<u>ITEM</u>	<u>TOTAL</u>
FOOD:	
Hot dogs, strawberries & Icecream etc.	\$1,700.
Candy Floss	\$ 125.
Popcorn Machine	\$ 148.
Sub-Total	<u>\$1,973.</u>
ENTERTAINMENT:	
Radio Broadcasting	\$1,475.
Common Bond	\$ 300.
Harrison Kennedy	\$ 300.
Jude Johnson (kids)	\$ 350.
Jude Johnson (Adults)	\$ 450.
Barbershop Quartet (Male)	\$ 150.
Puppet Show	\$ 216.
Calvin the Magician	\$ 150.
Antique Cars	N/A
Fire Fighters Drum Corp.	\$ 600.
Petting Zoo	\$ 500.
Camel Rides	\$ 345.
Vasio De Gamma (Portugese)	\$ 100.
Clowns/Buskers	\$ 800.
Scottish Piper	\$ 100.
Croatian Dance Group	\$ 100.
Sub-Total	<u>\$5,936.</u>

MISCELLANEOUS:**Hot Air Balloon:**

\$5M Liability Insurance \$150.

2 Hours \$750.

Gift Certificate for 2 \$300.

\$1,200.**

- 2 -

Hats (150)	\$382.
Sound Equipment	\$690.
Staging	\$552.
Poroloo - 2 x \$150 and 4 x \$100.	\$700.
Tables (20)	\$138.
Boy Scouts (clean-up)	\$ 50.

Sub-Total	<u>\$3,712.</u>
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<u>TOTAL</u>	<u>\$11,621.</u>
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10% Contingency	\$ 1,162.
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<u>TOTAL</u>	<u>\$12,783.</u>
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<u>ANTICIPATED REVENUE:</u>	<u>\$ 1,950.</u>
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<u>GRAND TOTAL:</u>	<u>\$10,833.</u>
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REVENUE:

Hot dogs 1000 x 50c	\$ 500.
Strawberries and Icecream 1000 x \$1.00	\$1,000.
Hot Air Balloon - 4 people per ride, 5 rides per hour x 2 @ \$5.00 per person	\$ 200.
Tickets Sold for Hot Air Balloon - 1000 x .25	\$ 250.

TOTAL REVENUE:	<u>\$ 1,950.</u>
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** Negotiations are taking place to have this item sponsored.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTEENTH** Report for 1995 and respectfully recommends:

1. That a purchase order be issued to R.C.M. Contracting Ltd., Hamilton, to supply various maintenance services as and when required by the Real Estate Division of the Property Department and the Building Department during 1995, 1996 and 1997, being the lowest acceptable of the twelve (12) tenders received in accordance with the specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through the Building Department's Property Standards Account No. CH 15411 00001, and the Property Department's Building Repairs - Civic Properties Account No. CH 57301 31106.

Hourly Rate One Person	\$30.
Hourly Rate Two People	\$37.
Hourly Rate Three People	\$44.
Hourly Rate for Rubber Tire	
Backhoe with Operator	\$40.

2. (a) That the City of Hamilton provide up to \$20,000. for the celebration of Country Music Artists, industry representatives and visitors to Hamilton from 1995 September 15 - 18; and,

(b) That this expenditure be charged to Account No. CH 55314 84010 - Special Civic Receptions and Delegation Hostings.
3. That a purchase order be issued to Guymark Mister Stationer, Kitchener, to supply and deliver office supplies to various departments for a period of one (1) 12-month term with an option in favour of the City to renew for two (2) 12-month terms, being the lowest of four proposals received, in accordance with a Request for Proposal issued by the Purchasing Department and Vendors Proposal, and be financed through various approved Office Supplies Accounts.

4.
 - (a) That the City of Hamilton increase the interest free loan provided to the Hamilton Firefighters Drum Corps Inc. to be used towards the cost of building a practice facility on the Dartnall Road property, which is leased from the City for 25 years, from a maximum loan of \$300,000. to a maximum loan of \$400,000.; and,
 - (b) That this increased loan be financed from the Reserve for Contingency Centre Number CH 00115 and all repayments are to be credited to this same reserve; and,
 - (c) That the loan repayment period stipulating payments of a minimum of \$10,700. quarterly be extended from twenty-eight (28) consecutive quarters or seven (7 years) to thirty-eight (38) consecutive quarters or approximately ten (10) years; and,
 - (d) That the City Solicitor be authorized and directed to prepare an amending agreement to the original 25 year lease agreement, between the City and the Hamilton Firefighters Drum Corps Inc., incorporating the amendments stated in (a) and (c) above.
5.
 - (a) That the City resolve Small Claims Court Action No. 4750/93 by the payment to the Plaintiff, Bonnie Randall, of the sum of \$500. inclusive of all claims for damages, interest and costs; and,
 - (b) That the City resolve Small Claims Court Action No. 1965/94 by the payment to the Plaintiff, Donna Scott, of the sum of \$500 inclusive of all claims for damages, interest and costs; and,
 - (c) That the Plaintiffs, Bonnie Randall and Donna Scott, be require to execute Full and Final Releases in a form satisfactory to the City Solicitor; and,
 - (d) That Small Claims Court Action 4750/93 and Small Claims Court Action 1965/94 be dismissed as against the City without costs; and,
 - (e) That Third Party Actions in Small Claims Court Action 4750/93 and Small Claims Court Action 1965/94 between the City and The Regional Municipality of Hamilton-Wentworth be dismissed without costs.
6. That the City resolve Ontario Court (General Division) Action No. 38313/92 by consenting to the dismissal of the Action and all Cross-Claims, by and against the City, without costs. (City of Hamilton -ats- Formosi)

7. That outstanding business taxes in the amount of \$435,151.49 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990, and charged to Account CH 53401 24106, Tax Write-Offs.
8. That a purchase order be issued to McKenzie Tire Inc., Hamilton, and Beverly Tire Service Ltd., Hamilton, for the Supply of Tires and Tire Maintenance Service for 1995, with an option to renew for three (3) additional two (2) year terms, expiring December 31, 2002, being the lowest total acquisition cost in accordance with the specifications issued by the Purchasing Division, and be financed through the Fleet Services, City Garage Tires and Tubes Account No. CH56701 27005.
9. (a) That the City of Hamilton's \$650,000. financial support for the Ontario Workers Arts and Heritage Centre Inc., ("Centre Inc."), at the historic Custom House, 51 Stuart Street, be provided by means of a Funding Agreement to be entered into by the City with the Ontario Workers Arts and Heritage Centre Inc., in a form and substance satisfactory to the City Solicitor, to provide a \$650,000. conditional capital grant secured by a first mortgage on the property, upon the following terms and conditions:
 - (i) City grant shall be advanced in instalments over two years at the times listed below to be applied towards the Centre's annual operating expenses including staff salaries, benefits, utilities, property taxes, insurance & legal expenses of mortgage to City, which expenses are generally outlined below:

Centre Inc. AllocationGrant Payments Schedule

Building
 Renovation: \$200,000.
 Salaries: \$120,000.
 Programming: \$ 40,000.
 Programming
 Equipment: \$ 40,000.

May 1995: \$100,000.
 September 1995: \$200,000.
 January 1996: \$100,000.

1995 Expenses: \$400,000.

Salaries: \$120,000.
 Programming: \$ 50,000.
 Programming
 Equipment: \$ 80,000.

May 1996: \$150,000.
 September 1996: \$100,000.

1996 Expenses \$250,000.
Total \$650,000.

Total City Grant \$650,000.

- (ii) City grant is also conditional upon Centre Inc.,
 - (1) opening the Custom House for public use with its programs on or before 1997 May;
 - (2) remaining continuously in full operation at the Custom House for a minimum period of five years, namely until 2002 May 31, at which time the mortgage security in favour of the City would be discharged; and
 - (3) using the City grant only for Centre Inc.'s operational expenses in Hamilton at the Custom House.
- (iii) In the event that the Centre at any time prior to 2002 May 31 ceases to function, including ceasing to remain in operation at the Custom House for more than eight consecutive weeks, or there is default with the other loan conditions referred to herein, in the mortgage or in the Funding Agreement (authorized below), the conditional grant would immediately be repayable in full to the City (without interest). If repayment were not received, the City may enforce the mortgage or exercise its rights at law to recover the funds, including legal action, power of sale or foreclosure of the property;
- (iv) Centre Inc. shall provide audited financial statements of its organization (including operation of the Custom House) to the City not less than annually and as may be further required from time to time by the City Treasurer;
- (v) no advances of the City grant shall be made unless Custom House real property taxes, Hamilton Hydro and Regional water accounts are in good standing, no liens or executions affect the property or Centre Inc. and there is no default by Centre Inc. in compliance with the grant terms;
- (vi) default under Centre Inc.'s mortgage of the Custom House to the City shall be deemed to occur upon any default of Centre Inc. in complying with the grant terms, including, but not limited to, the following:
 - (1) if, in the opinion of the City, Centre Inc. ceases for more than eight weeks to keep the Custom House staffed and, after its 1997 May opening, open to fulfil its objectives;

- (2) use of City grant money for any non permitted purpose;
 - (3) if Centre Inc. sells, agrees to sell, leases or licenses the Custom House to any other person;
 - (4) default in compliance with the Heritage designation By-law, the registered Heritage Easement with the Province or the Heritage Act, any other agreement with the City, or any by-law of the City;
 - (5) default in compliance with any of its grant terms with the Province of Ontario;
 - (6) failure to pay and keep in good standing all real property tax amounts, hydro and water accounts, property and public liability insurance, (as required by the City), during the five year term of this repayable grant; and
 - (7) non compliance with Standard Mortgage/Charge Terms No. 911; and
- (b) That Centre Inc. be required to enter into a Funding Agreement with the City to record and confirm the terms of the City's repayable conditional grant, including the conditions expressly referred to in this resolution and that the Mayor and City Clerk be authorized to execute the said Funding Agreement in a form satisfactory to the City Solicitor and the City Treasurer; and
- (c) That Centre Inc. acknowledge that the City, by making this \$650,000. seed money grant, makes no representation that any other grant or loan to Centre Inc. may also be approved by the City during or after this \$650,000. repayable grant; and
- (d) That Centre Inc.'s lawyers (who have acted for Centre Inc. in its purchase of Custom House with the provincial grant), also be required to prepare, register and certify to the City the said required mortgage security in a form satisfactory to the City Solicitor. Such mortgage shall be an interest free mortgage for a term expiring on 2002 May 31, and shall be subject to the rights of the Province, if any, to acquire the Custom House; and
- AMENDED.**

(e) That this grant be charged to Account Centre No. CF 259555018.

Recorded vote on Section 9 as amended.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Ross. - 13.

NAYS: Aldermen Drury, Eisenberger, Anderson, D'Amico. -4.

CARRIED.

10. (a) That the 1994 Financial Report be received by City Council for information purposes; and,
(b) That the City Treasurer arrange to publish on one occasion the required 1994 financial information, based on the audited report, in The Hamilton Spectator as soon as possible, but in any event, within sixty days of receiving the audited statements and in accordance with regulations of the Ministry of Municipal Affairs.
11. (a) That approval be given to the United Way of Burlington, Hamilton-Wentworth to use the Second Floor Foyer on Thursday, 1995 June 8 between the hours of 7:00 o'clock p.m. to 10:30 o'clock p.m. for a cocktail reception in honour of the United Way Centraide Canada Leadership Conference; and,
(b) That the City Clerk be granted authority to approve similar use in future years, provided it does not interfere with any other activity.
12. That approval be given to the actions taken by the City Clerk in authorizing The Kinsmen Club of Hamilton to sell hot dogs and pop on Friday 1995 May 12 in conjunction with "Raise the Flag Day" celebrations.
13. That approval be given to The Canadian Club of Hamilton to use the Second Floor Foyer (West End) for a display promoting The Canadian Club from Thursday, 1995 June 1 until Monday 1995 July 31.
14. That approval be given to the Hamilton Advisory Committee for the G7 Environment Ministers Summit to exhibit a "Sustainable Community Display" on the Second Floor Foyer from Friday 1995 June 16 until Friday 1995 June 30.

15. That the Mayor, Chairman of the Finance and Administration Committee, and five (5) Aldermen be authorized to attend the 1995 Annual Conference of the Association of Municipalities of Ontario being held 1995 August 20 - 23 in Toronto, Ontario.
16. (a) That approval be given to the action taken by the City Clerk in authorizing the Regional Advisory Committee for Persons with Physical Disabilities to use the Second Floor Foyer (west end) on Tuesday, 1995 May 23 and Wednesday, 1995 May 24 between the hours of 8:30 o'clock a.m. until 5:00 o'clock p.m. for a display and obstacle course to kick off "Access Awareness Week"; and,
 (b) That the City Clerk be granted authority to approve similar use in future years, provided it does not interfere with any other activity.

17. Deleted.

See Page 595 for wording of deleted section

CARRIED.

18. (a) That the firm of MacGillivray Partners, Chartered Accountants be continued as municipal auditor for the City of Hamilton, including its Local Boards, Hamilton Entertainment and Convention Facilities Inc., Hamilton Hydro Electric System and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton for the year 1995 at a fee of \$99,000 including completion of the audit of the City's Financial Report.
 (b) That the by-law respecting "To Appoint An External Auditor" be approved by City Council.
19. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

33 Biggar
 172 Sanford S
 12 Ray S
 843 King E
 71 Horning
 124 Walnut S
 147 Elgin

129 Birge
 6 Olmstead
 48 Haddon N
 215 Nappier
 171 Herkimer
 55 Mary

- (b) That the by-law to authorize the said Extension Agreements be enacted by City Council; and,
 - (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.
- 20. That as referred to in Section 14 of the Seventh Report of the Transport and Environment Committee for 1995 that the City Solicitor be authorized to prepare an appropriate By-Law to construct an independent concrete sidewalk on the south side of Rymal Road from Upper James Street to Springside Drive and on the north side of Rymal Road from Upper James Street to approximately 226 m easterly under the Local Improvement Act at an estimated cost of \$102,500. with the City's share of \$25,820.30 to be financed from the 1995 Capital Levy (Account Centre No. CH 22002) and the balance of \$76,679.70 being the owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$76,679.70 for a term not to exceed 20 years for the above project.
- 21. That the upset cost limit of \$18,100. estimated to be the cost of electronic push button security access to the dock and washroom areas at Scott-Macdonald Marine as part of the lease relating to the walkway linkage connecting Pier 4 and Harbourfront Parks be financed in part from the lease revenue of \$14,400 and the balance of the upset limit totalling \$3,700. as an overdraft of the Civic Properties Rented Centre #CH 31106.
- 22. That approval be given to issue a Purchase Order to Burns International Security Services Limited of Hamilton, Ontario for security guard services at Hamilton City Hall for 1995, 1996, and 1997 in the amount \$9.70, \$9.86 and \$10.04 per hour respectively, and at the City's option, to extend these services by two additional terms of three years each at a price to be negotiated, this being the lowest tender received in accordance with the specifications issued by the Manager of Purchasing, 1995 March 30, Ref. C19-12-95.
- 23. (a) That approval be given to issue a purchase order in the amount of \$106,887.65 inclusive of \$6,992.65 GST to commission AM Roofing Inc. of Hamilton for the replacement of the roof at Central Fire Hall being the lowest of seven quotes received in accordance with the specifications issued by the Manager of Purchasing; and,

- (b) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor.
24. That the listing of Appointments to and Terminations from permanent positions with the Corporation of the City of Hamilton to 1995 May 12, attached herewith and marked Appendix "A", be approved.
25. That the local organizers for the Melanie Carpenter Campaign be permitted to post a petition respecting dangerous offenders, in the first floor lobby of City Hall for signing by the citizens of Hamilton for a one month period with the understanding that a policy on the posting of petitions in City buildings is being drafted for Committee and Council consideration.
26. (a) That a purchase order be issued to Bertozzi Roofing and Sheet Metal Inc. of Hamilton in the amount of \$299,826. plus GST for the re-roofing of a portion of the City Hall roof being the lowest of seven tenders received in accordance with specifications (Ref: C-14-6-95) issued by the Manager of Purchasing; and,
- (b) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor.
27. That approval be given to issue a purchase order in the amount of \$301,909. plus G.S.T. to Honeywell/Beaver Limited of Hamilton for the maintenance of the Building Automation/Temperature Control Systems in the following buildings from 1995 April 1 to 1995 December 31 (1995 January 1 to 1995 December 31 for Copps Coliseum) while staff develop specifications for the purpose of re-tendering this service:

TEMPERATURE CONTROL/BUILDING AUTOMATION

<u>LOCATION</u>	<u>FEE - 1995 APRIL 15 to 1995 DECEMBER 31</u>
City Hall	\$21,585.
Market/Library	\$25,797.
CUP/Parking Garage	\$53,844.
Convention Centre	\$34,488.
Chedoke Twin Pad	\$13,650.
Hamilton Place	\$14,235.
Copps Coliseum	\$131,740. (1995 January 1 - 1995 December 31)

AIR CONDITIONING EQUIPMENT

Macassa Fire Station	\$ 3,212.
Chedoke Twin Pad	<u>\$ 3,358.</u>
	\$301,909.

28. (a) That approval be given to issue a Purchase Order to Superior Boiler Works & Welding Limited of Hamilton, Ontario in the amount of \$281,795.20 inclusive of G.S.T. (\$18,435.20) to supply and install the necessary labour & materials to complete the Steam to Hot Water Conversion of the heating system at Copps Coliseum, this being the lowest tender received in accordance with the specifications issued by the Manager of Purchasing, 1995 March 10 (Ref: C14-2-95); and
- (b) That authorization be given to the Director of Property to fund the \$281,795.20 from the following accounts:

<u>ACCOUNT</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
CF319441013	Copps Coliseum - Steam to Hot Water Conversion	\$205,000.
CF319251004	C.U.P. - Various Capital Replacements/Revisions	\$ 482.78
CF319351006	C.U.P. - Various Capital Replacements/Revisions	\$ 1,181.74
CF319451019	C.U.P. - Various Capital Replacements/Revisions	\$ 30,538.14
CF319541002	C.U.P. - Various Capital Replacements/Revisions	<u>\$ 44,592.54</u>
TOTAL		\$281,795.20

- (c) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor.
29. That a Code of Conduct for employees of the Corporation of the City of Hamilton, attached herewith and marked Appendix "B", be approved.
30. That the City Clerk inform the Director, Gaming Control Commission that the City of Hamilton has no objection to the proposal to open a Class "A" Bingo Hall in the Town of Grimsby. **REFERRED BACK.**

31. (a) (i) That the Chief Administrative Officers for the City of Hamilton and the Region of Hamilton-Wentworth be requested to develop appropriate Terms of Reference to establish levels of service and standards of service for the Financial Transaction Service Provider; and,
- (ii) That the firm of Price-Waterhouse be engaged at a cost not to exceed \$25,000. to assist the Chief Administrative Officers in developing and evaluating the Terms of Reference; and,
- (iii) That the cost of retaining the services of Price-Waterhouse be equally shared between the City of Hamilton and the Region of Hamilton-Wentworth; and,
- (iv) That the Terms of Reference form the basis of a contract between the City of Hamilton and the Region of Hamilton-Wentworth for the provision of the Financial Transaction services; and,
- (b) (i) That the City of Hamilton offer to provide financial transaction services to the Region of Hamilton-Wentworth; and,
- (ii) That the Region of Hamilton-Wentworth be requested to update the details of their information and provide the levels and the service requirements for the City of Hamilton to provide a proposal on providing this service; and,
- (iii) That the Chief Administrative Officers, with the assistance of Price-Waterhouse, report back to the Single Tier Administrative Review Steering Committee in eight (8) weeks time including the provision of bench mark analysis for the financial functions provided by other municipalities.

32. That the City of Hamilton approve a request from the City of Burlington to reconstruct the LaSalle Park Pavilion in accordance with the lease agreement dated 1993 December 1, provided that all costs of the reconstruction be the sole responsibility of the City of Burlington. **REFERRED BACK.**

33. That leave be granted to introduce the following Bills:

- (a) D-44 A By-law to authorize an Extension Agreement for Payment of Realty Tax Arrears

- (b) D-45 A By-law respecting Appointment of an External Auditor
- (c) D-46 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1995 May 23**

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Sheila Costanza	I	Junior Payroll Clerk (10F)	Treasury	Replacing Ms. C. Alkema - promoted Jan. 30/95	\$29,602.04 to \$32,175.52	April 24/95
Ms. Sandy Gruba	I	Entertainment Assistant (11)	H.E.C.F.I.	Replacing Ms. A. Nicholson - promoted, April 03/95	\$31,563.48 to \$34,574.28	April 03/95
Mr. Edwin Zvirbulis	I	Catch Basin Equipment Operator (D15)	Public Works	Replacing Mr. C. Manning - promoted, Jan. 16/95	\$36,416.64	April 17/95

Prepared May 12, 1995

Status
Internal - I
External - E

Appendix "A" referred
to in Section 24 of the
FIFTEENTH Report of the
Finance and Administration
Committee for 1995.

1995 May 30

THE CORPORATION OF THE CITY OF HAMILTON
 TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Murray Main	Director Traffic Services	Traffic	Retired (Early)	33 years, 7 months	April 28/95
Mr. James McIsaac	Firefighter 1	Fire	Retired (Early)	29 years, 11 months	April 30/95

Prepared May 12, 1995

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

CODE OF CONDUCT

The City expects every employee to conduct themselves with the highest degree of personal integrity and ethics. No employee should place themselves, or permit themselves to be placed, in a position which would constitute a conflict of interest or breach of trust. Because the City of Hamilton is a municipal corporation, charged with the management of public funds and programs, employees must avoid not only actual conflicts of interest and breaches of trust, but even the appearance of a conflict or breach of trust.

Employees are personally responsible to insure that they do not place themselves in a conflict of interest or breach of trust. As soon as such circumstance arises, or has the potential for arising, the employee must disclose the circumstances to their supervisor. In most cases, prompt and early disclosure will permit the problem to be resolved.

Employees must be aware that permitting themselves to be in a conflict of interest, or breach of trust position, or failure to disclose circumstances with the potential for conflict of interest or breach of trust, will be dealt with seriously by the City. This includes the imposition of discipline on the employee, up to, and including, termination of the employee.

Conflicts of interest, and breaches of trust, may take many forms. It is impossible to list them all. What follows is a list of some of the more obvious examples:

Employees shall not, during the course of their conduct of their employment duties knowingly violate, or permit the violation of, or fail to report the violation of, any federal or provincial statute or regulation, or any City or Regional by-law.

Employees shall not, personally or through companies in which they are involved, bid on City contracts for the supply of goods or services.

Employees shall not, personally or through companies in which they are involved, work on City contracts, for the supply of goods or services, other than in their capacity with the City.

Employees shall not, approve any license, permit, contract, agreement or other document on behalf of the City, for any business in which they are personally involved, or in which their spouse (including common law and same sex), or any relative (including child, parent, foster or adopted parent, grandparent, grandchild, brother or sister, son-in-law, daughter-in-law, brother-in-law or sister in law) is involved.

Employees shall not, accept any gift, benefit, money, discount, favours or other assistance, from any business which has a contract with the City to supply goods or services, unless the gift, benefit, money, discount, favour or assistance is one which, due to the nature of the business, is available to all members of the public.

Employees shall not, accept any gift, benefit, money, discount, favours or other assistance, from any business which requires from the City any license, permit, contract, agreement or other approval in the conduct of its business, unless the gift, benefit, money, discount, favour or assistance is one which, due to the nature of the business, is available to all members of the public.

In accordance with existing City Policies, this does not prohibit employees from receiving promotional "gifts" or "benefits" of nominal value. It is recognized that in the ordinary course of business a company may distribute gifts of nominal value for promotional purposes (for example coffee mugs with the company logo, or letter openers with the product name on them). It is also recognized that in the ordinary course of business dealing with suppliers or contractors it may be appropriate for them to pay for an employee's lunch. Receipt of such a "gift" or "benefit" in the course of business will not be considered to be a breach of these rules.

Employees shall not, personally make any decision to hire, or engage, any spouse or relative for any employment with the City whether temporary, full-time, part-time or seasonal.

Employees shall not, influence or attempt to influence, any other City employee to hire, or engage, any spouse or relative for any employment with the City whether temporary, full-time, part-time or seasonal.

Employees shall not, permit themselves to be placed in supervision over another City employee who is a spouse or relative, without disclosing the nature of the relationship to their supervisor.

Employees shall not, engage in any behaviour or conduct which may be seen to be an attempt to gain, through their position as a City employee, or through their knowledge or contacts gained as a City employee, any personal advantage, advancement, favour, influence, benefit, discount or other interest, for themselves, their spouses their relatives or friends.

Employees shall not, engage in any conduct or business practice which might bring the reputation of the Corporation of the City of Hamilton into ill-repute or damage or diminish the reputation of the Corporation of the City of Hamilton in the eyes of members of the community.

Employees shall not disclose confidential information concerning the property, government, or affairs of the Corporation or use such information to advance his/her interests or the interests of a spouse or relative.

No employee disclosing confidential information concerning the property, government, or affairs of the City shall be in contravention of this Policy if that disclosure concerns wrongdoing on the part of the City, its Council Members, officers, employees, agents, or contractors, and can be shown to have been in the public interest.

Employees who have reason to believe this Code of Conduct has been breached are encouraged to bring their concerns to the attention of the Chief Administrative Officer. No adverse action shall be taken against any employee, who, acting in good faith brings forward such information.

Caution is always the best guide to behaviour in this area. Employees are encouraged to discuss any circumstance about which they have the least doubts with their supervisor or department head.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SIXTEENTH** Report for 1995 and respectfully recommends:

1. (a) That an amount of \$5,000. be approved for the hosting of a number of events on 1995 June 10th and 11th for a delegation of 40 Inuit from the Northwest Territories, plus government officials and sponsors of the Inuit Memorial in conjunction with the unveiling and dedication ceremony of the Inuit Memorial; and,

(b) That this amount be charged to Account No. CH 54314 84010 - Delegate Hostings.
2. That the Street Vendor locations be awarded for the period commencing June 1995 to the end of December 1998, to the successful proponents, one cart per location, as listed in Appendix 'A' attached, subject to confirmation of the following:
 - (a) The products offered for sale are approved by the Hamilton-Wentworth Regional Health Department.
 - (b) The submitted bids remain unchanged following the review by the Health Department.
 - (c) The proponents enter into a legal agreement satisfactory to the City.
 - (d) The City Solicitor be authorized to execute the agreements.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1995 May 30**

as referred to in
Section 2 of the
Sixteenth Report for
1995 of the Finance &
Administration
Committee

CITY OF HAMILTON

1995 - 1998 STREET VENDORS PROGRAM

APPROVED LOCATIONS

NAME	LOCATION	PRODUCT	FEE
Karen & Larry Charters	Harbourfront Park Pier 4 Park	Shaved Ice (Flavours) Shaved Ice (Flavours)	\$4,500 \$4,500
Troy D'Souza	Mountain Park Avenue	Sausages/Hot Dogs	\$ 975
Hanna Zarzycki	Court House	Sausages/Hot Dogs	\$4,550
Paul Reardon	Gage Park	Sausages/Hot Dogs	\$2,625
Helen Polowski	King & James (SW corner)	Sausages/Hot Dogs	\$9,000
Tom. & Cindy Anderson	- East Side of Bay (Copps South)	Sausages/Hot Dogs	\$9,000
	- York Street at Farmers Market	Sausages/Hot Dogs	\$4,150
Sarasota Sizzler Corp. *One year plus two one- year options - subject to confirmation	- Bay and York (Copps North)	Sausages/Hot Dogs	\$6,000
	- Catharine and King (SE corner)	Sausages/Hot Dogs	\$3,000
	- John and King (SW corner)	Sausages/Hot Dogs	\$3,000
	- Stelco Tower (King St. W.)	Sausages/Hot Dogs	\$4,550
	- City Hall Forecourt	Sausages/Hot Dogs	\$4,550
	- James and King (Royal Bank)	Sausages/Hot Dogs	\$3,750
	- Harbourfront Park	Sausages/Hot Dogs	\$4,500
	- Pier 4 Park	Sausages/Hot Dogs	\$3,000
	- *Dundurn Park	Sausages/Hot Dogs	\$1,250/yr
StreEATables (Louis Bojin)	Pier 4 Park	Ice Cream	\$2,250
	Harbourfront Park	Ice Cream	\$3,600

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **FOURTH** Report for 1995 and respectfully recommends:

1. That Alderman F. Eisenberger be appointed Chairman of the Parks and Recreation Committee effective 1995 June 1 for a term to expire November 30, 1997.
2. That Alderman T. Anderson be appointed Vice-Chairman of the Parks and Recreation Committee effective 1995 June 1 for a term to expire November 30, 1997.
3. That Alderman G. Copps be appointed Chairman of the Committee of the Whole for the months of June, July and August 1995.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN,
NOMINATING COMMITTEE**

J.J. Schatz, Secretary
1995 May 30

URBAN/MUNICIPAL
CA4 ON HBL AOS
M21
1995

CITY CLERK'S OF
MEMORANDUM

KATHY DEITER
Urban Municipal 1
Collection - Library

URBAN MUNICIPAL

JUL 6 1995

TO: Mr. J. Pavelka, C.A.O.
Management Team
Legislative Assistants

GOVERNMENT DOCUMENTS

FROM: Mr. J. J. Schatz
City Clerk

PHONE: 546-2727

SUBJECT: CITY COUNCIL MEETING

DATE: 1995 June 29

Attached for your information and appropriate action is a copy of the minutes of the meeting of City Council held June 27, 1995.

Please undertake to carry out the directions of City Council.

att.

JJS/dg

Minutes of Hamilton City Council
Tuesday, 1995 June 27
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Wilson, Copps,
Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor R. M. Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Major Garnett Cassell, Salvation Army Family Services led Council in prayer.

PRESENTATION

Mayor R. M. Morrow presented Constance Dowler with the Municipal Senior of the Year Award.

* * * * *

Mayor R. M. Morrow congratulated former Alderman Dominic Agostino on his recent election to the office of M.P.P. for Hamilton East. Former Alderman Agostino then addressed the Council and expressed appreciation to his Council colleagues and staff for his eight years on City Council.

* * * * *

Alderman M. Caplan presented to the City of Hamilton a plaque on behalf of the Hamilton-Wentworth Council Smoking and Health.

* * * * *

ADOPTION OF MINUTES

The minutes of the meeting held 1995 May 30 were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1995 June 13 from Alderman Dominic Agostino re: Letter of resignation as a Member of City Council.

Received.

2. Letter dated 1995 May 30 from R. Scott Smith, Secretary to the Board of Commissioners, The Hamilton Harbour Commissioners re: Financial Statements for the year ended 1994, December 31.

Received.

3. Zoning Application dated 1995 May 30 from Community Adolescent Network of Hamilton, Hamilton, Ontario for an Official Plan Amendment to establish a "Special Policy Area" to allow general offices within a "Residential" designation, and for a modification to the "L-mr-2" (Planned Development - Multiple Residential) District regulations for property located at No. 121 Augusta Street, Hamilton, Ontario.

Received.

4. Zoning Application dated 1995 June 6 from Chedoke Health Corporation, c/o Lazier, Hickey, Langs, O'Neal, for a further modification to the "DE" (Low Density Multiple Dwellings) District regulations for lands located at the south-west corner of Chedmac Drive and Rice Avenue, Hamilton, Ontario.

Received.

5. Zoning Application dated 1995 June 12 from 712169 Ontario Ltd., c/o Homes by Malatesta, Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District for lands located at No. 1232 Upper Gage Avenue, Hamilton, Ontario.

Received.

6. Letter undated received 1995 June 23 from Dan Fournier, Ward 5 resident urging Council to appoint a person for filling the vacancy as opposed to holding a By-Election.

Received.

7. Letter undated received 1995 June 27 from Jason Parker, 160 Country Club Drive urging Council to appoint a person for filling the vacancy as opposed to holding a By-Election.

Received.

8. Letter undated received 1995 June 27 from Brenda Sutherland, 160 Country Club Drive urging Council to appoint a person for filling the vacancy as opposed to holding a By-Election.

Received.

9. Letter dated 1995 June 19 from Lynda Cameron, 227 Summerhill, urging Council to appoint a person for filling the vacancy as opposed to holding a By-Election.

Received.

10. Letter dated 1995 June 22 from Monica Mulligan, 91 Burris Street urging Council to appoint a person for filling the vacancy as opposed to holding a By-Election.

Received.

11. Letter undated from Tom Morrison, 100 St. Andrews Court, #15, urging Council to appoint a person for filling the vacancy as opposed to holding a By-Election.

Received.

12. Letter dated 1995 June 22 from Gayle Mulligan, 91 Burris Street, urging Council to appoint a person for filling the vacancy as opposed to holding a By-Election.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Copps in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - EIGHTH REPORT
--

Section 17 Re: Parking Permit - Picton Street West

It was moved by Alderman Merling and seconded by Alderman Morelli that Section 17 of the Eighth Report of the Transport and Environment Committee for 1995 be referred back.

CARRIED.

* * * * *

Section 37(a) Re: School Crossing Guard - Trevi/Greenshire Drive

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson. -14.

NAYS: Aldermen D'Amico, Ross. -2.

CARRIED.

* * * * *

Section 43 Re: Rule No. 8

It was moved by Alderman Merling and seconded by Alderman Anderson that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting parking regulations on Robson Crescent.

CARRIED.

* * * * *

It was moved by Alderman Merling and seconded by Alderman Anderson that the Eighth Report of the Transport and Environment Committee for 1995 be amended by adding the following as Section 43:

43. (a) That "No Parking" signs be erected on the east and north sides of Robson Crescent from the north property line of No. 51 Robson Crescent to the east property line of No. 57 Robson Crescent; and,
- (b) That "No Parking" signs be erected on the south side of Robson Crescent from the west curb line of Robson Crescent to a point 89 feet easterly therefrom; and,
- (c) That the City Traffic By-law No. 89-72 be amended accordingly. **CARRIED.**

PARKS AND RECREATION COMMITTEE - FOURTEENTH REPORT
--

Section 4 Re: Alcohol in Parks - Parents Without Partners - Turner Park

Recorded vote:

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Jackson. -1. **CARRIED.**

* * * * *

Section 15 Re: Hamilton Spectator - Establishing a Public Outreach Program for the naming of Harbourfront Park.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Copps. -1. **CARRIED.**

* * * * *

Section 20 Re: Purchase from the Hamilton-Wentworth Roman Catholic Separate School Board land -141 Vittorito Avenue - Proposed St. Agnes Park.

It was moved by Alderman Wilson and seconded by Alderman Morelli that Section 20 of the Fourteenth Report of the Parks and Recreation Committee for 1995 be referred back.

Recorded vote.

YEAS: Aldermen Drury, Morelli, Wilson, Merling, Anderson, Ross. -6.

NAYS: Aldermen Kiss, Caplan, Agro, McCulloch, Copps, Eisenberger, Charters, Jackson, D'Amico. -9. **LOST.**

* * * * *

Section 20 Re: Purchase from the Hamilton-Wentworth Roman Catholic Separate School Board land -141 Vittorito Avenue - Proposed St. Agnes Park.

It was moved by Alderman Ross and seconded by Alderman Anderson that Section 20 of the Fourteenth Report of the Parks and Recreation Committee for 1995 be tabled.

Recorded vote.

YEAS: Aldermen Kiss, Drury, Morelli, Copps, Wilson, Merling, Anderson, Ross - 8.

NAYS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Eisenberger, Charters, Jackson, D'Amico. -8. **LOST.**

* * * * *

Section 20 Re: Purchase from the Hamilton-Wentworth Roman Catholic Separate School Board land -141 Vittorito Avenue - Proposed St. Agnes Park.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Copps, Eisenberger, Charters, Jackson, D'Amico. -10.

NAYS: Aldermen Drury, Morelli, Wilson, Merling, Anderson, Ross. -6. **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE - FIFTEENTH REPORT

FINANCE AND ADMINISTRATION COMMITTEE - SEVENTEENTH REPORT

Section 26 Re: Purchase Order - Toromont/Caterpillar of Concord - Cogeneration Plant

It was moved by Alderman Charters and seconded by Alderman Jackson that Section 26 of the Seventeenth Report of the Finance and Administration Committee for 1995 be referred back.
CARRIED.

ACTING MAYOR FOR THE MONTH OF JULY, 1995

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman F. D'Amico be appointed Acting Mayor for the month of July 1995.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

BILLS

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills be now read a first time:

A-41, A-42, A-43, A-44, A-45.

C-43, C-44, C-45.

D-47, D-48, D-49, D-50.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Morelli, Copps, Wilson, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the following Bills, with Alderman Copps in the chair. (second reading).

A-41, A-42, A-43, A-44, A-45.

C-43, C-44, C-45.

D-47, D-48, D-49, D-50.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Morelli, Copps, Wilson, Charters, Jackson, Anderson, D'Amico, Ross. -12.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the following Bills, be adopted:

A-41, A-42, A-43, A-44, A-45.
C-43, C-44, C-45.
D-47, D-48, D-49, D-50.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Copps, Wilson, Charters, Jackson, Anderson, D'Amico, Ross. -11.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-41, A-42, A-43, A-44, A-45.
C-43, C-44, C-45.
D-47, D-48, D-49, D-50.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Copps, Wilson, Charters, Jackson, Anderson, D'Amico, Ross. -11.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:00 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz, City Clerk
1995 June 327
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **EIGHTH** Report for 1995 and respectfully recommends:

1. That a "No Stopping" regulation be implemented on the south side of Claremont Drive commencing at the easterly end of Claremont Drive and extending to a point 103 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
2. (a) That a "Permit Parking" regulation be implemented on the north side of Britannia Avenue commencing at a point 147 feet east of Kenilworth Avenue North and extending to Archibald Street and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to the residents of Nos. 263, 265, 267, 269, 273 Britannia Avenue and any additional permits on a first come first served basis to a maximum of six permits.
3. (a) That a "Permit Parking" regulation be implemented on the east side of Paling Avenue commencing at a point 603 feet south of Barton Street East and extending to a point 27 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Lisa Taylor, No. 286 Paling Avenue.
4. (a) That a "Permit Parking" regulation be implemented on the east side of Park Row North commencing at a point 79 feet south of Roxborough Avenue and extending to a point 21 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be directed to issue, one parking permit to Mr. Wilcox, No. 114 Park Row Avenue North.

5.
 - (a) That the existing "No Stopping" regulation on the west side of Riverdale Drive which commences at a point 93 feet south of the south curb line of Jerome Crescent and extends to a point 51 feet southerly therefrom be removed; and,
 - (b) That a "No Parking" regulation be implemented on the west side of Riverdale Drive between the north and south legs of Gainsborough Road; and,
 - (c) That the existing "No Parking" regulation on the east side of Riverdale Drive which commences at Delawana Drive and extends to a point 184 feet north of Glenburn Court be shortened such that the regulation commences at Delawana Drive and extends to Jerome Crescent; and,
 - (d) That the City Traffic By-law No. 89-72 be amended accordingly.
6.
 - (a) That a "Permit Parking" regulation be implemented on the south side of Newlands Avenue commencing at a point 197 feet west of Cope Street and extending to a point 22 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue a parking permit to Mr. Ron King, No. 156 Newlands Avenue.
7.
 - (a) That the existing "No Parking" regulation on the east side of Avondale Street, which commences at Beechwood Avenue and extends to a point 84 feet northerly therefrom be removed; and,
 - (b) That the existing "Snow Route" designations on Avondale Street between Beechwood Avenue and Barton Street East and on Beechwood Avenue between Gage Avenue North and Avondale Street be removed; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
8.
 - (a) That a "Permit Parking" regulation be implemented on the north side of Picton Street West commencing at a point 99 feet west of MacNab Street North and extending to a point 18 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Judy Simkins, No. 40 Picton Street West.

9. That a "No Parking" regulation be implemented on the west side of Independence Drive commencing at Templemead Drive and extending to the south property line of No. 100 Independence Drive and that the City Traffic By-law No. 89-72 be amended accordingly.
10. That the existing "Alternate Side Parking" regulation on Strathcona Avenue South between Main Street West and King Street West be replaced with a "No Parking" regulation on the west side and unrestricted parking on the east side and that the City Traffic By-law No. 89-72 be amended accordingly.
11. That a "Three Hour Parking Time Limit, 24 Hours a Day, Seven Days a Week" regulation be implemented on the south side of Bold Street between the projected east curb line of Ray Street South and Queen Street South and that the City Traffic By-law No. 89-72 be amended accordingly.
12.
 - (a) That the existing "Alternate Side Parking" regulation on Hillcrest Avenue between Beulah Avenue and Mountain Avenue be removed; and,
 - (b) That the existing "No Parking" regulation on the south side of Hillcrest Avenue between the extended east curb line of Mountain Avenue and the easterly end of Hillcrest Avenue be removed; and,
 - (c) That a "No Parking" regulation be implemented on the north side of Hillcrest Avenue between Beulah Avenue and the easterly end of Hillcrest Avenue; and,
 - (d) That the City Traffic By-law No. 89-72 be amended accordingly.
13. That the existing "No Parking" corner clearance on the east side of Mary Street which commences at Simcoe Street East and extends to a point 91 feet southerly therefrom be shortened such that the regulation commences at Simcoe Street East and extends to a point 70 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
14. That the existing "Permit Parking" regulation on the west side of Paling Avenue which commences at a point 628 feet south of Barton Street East and extends to a point 23 feet southerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.

15. (a) That a "Permit Parking" regulation be implemented on the north side of Bristol Street commencing at a point 26 feet east of Sanford Street North and extending to a point 29 feet easterly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Lucy Simcoe, No. 178 Sanford Avenue North.
16. That a "One Hour Parking Time Limit, 8:00 am. to 6:00 pm., Monday to Saturday" regulation be implemented on the east side of Locke Street North commencing 28 feet south of Peter Street and extending to a point 37 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
17. That a "One Hour Parking Time Limit, 24 Hours a Days, 7 Days a Week" regulation be implemented on both sides of Chestnut Avenue between Cannon Street East and Wilson Street and that the City Traffic By-law No. 89-72 be amended accordingly.
REFERRED BACK.
18. (a) That a "Permit Parking" regulation be implemented on the east side of Emerald Street commencing at a point 101 feet north of the southerly limit of Emerald Street South and extending to a point 20 feet northerly therefrom and on the west side commencing at a point 93 feet north of the southerly end and extending to a point 23 feet northerly therefrom; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Paul Hamner, No. 180 Emerald Street South; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.
19. That southbound traffic on Carriagegate Drive be required to stop for eastbound and westbound traffic on Parkwood Crescent and that eastbound traffic on Parkwood Crescent be required to stop for northbound and southbound traffic on Grandoaks Drive and that the City Traffic By-law No. 89-72 be amended accordingly.
20. That three-way stop control be implemented at the intersection of McAnulty Boulevard and Agincourt Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.

21.
 - (a) That southbound left turns from Binkley Road to Main Street West be prohibited on a 24 hour basis seven days a week; and,
 - (b) That the left turn prohibition from Binkley Road to Main Street be implemented in conjunction with the installation of the proposed traffic signal at the driveway to 1581 Main Street West; and,
 - (c) That Traffic By-law No. 89-72 be amended accordingly.
22.
 - (a) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Queensbury Drive be extended 40 feet westerly such that it commences 258 feet west of Upper Ottawa Street and extends 196 feet westerly; and,
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
23. That a School Crossing Guard be assigned to the intersection of Parkdale Avenue and Queenston Road during the morning, lunch and evening school crossing periods on a permanent basis.
24.
 - (a) That the following property be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law No. 95-049:

the lands composed of the southerly half of Block "F" (Public Walkway) Plan M-27, having frontage along the easterly limit of St. Andrews Drive of 1.524 metres (5 feet) more or less, by a length of 31.0896 metres (102 feet) more or less, being regular in shape and situated immediately north of Lot 41, Plan M-27.
 - (b) That an Offer to Purchase (Highway Closure), duly executed by Joseph Leonard Raberts and Maria Egle Raberts, on 1995 June 2 and scheduled to close thirty (30) days after the enactment and registration of a by-law to stop up, close and sell the public walkway between 300 and 304 St. Andrews Drive, for the lands composed of the southerly half of Block "F" (Public Walkway) Plan M-27, having frontage along the easterly limit of St. Andrews Drive of 1.524 metres (5 feet) more or less, by a length of 31.0896 metres (102 feet) more or less, being regular in shape and situated immediately north of Lot 41, Plan M-27, municipally known as No. 300 St. Andrews Drive, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases (Sales)); and,

- (c) That the Mayor and the City Clerk be authorized and directed to execute the necessary documents; and,
- (d) That in accordance with Real Property Sales Procedural By-law No. 95-049,
 - (i) satisfactory Notice has been given to the public of the intended sale; and,
 - (ii) no appraisal of the fair market value of the real property being sold was obtained since Highway (Public Walkway) closures and sales are exempt from this requirement; and,
 - (iii) the City Clerk be authorized and directed to execute and (issue) a Certificate of Compliance in the form prescribed by Section 193 of the Municipal Act.

25. (a) That the following property be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law 95-049:

the lands composed of the northerly half of Block "F" (Public Walkway) Plan M-27, having frontage along the easterly limit of St. Andrews Drive of 1.524 metres (5 feet) more or less, by a length of 31.0896 metres (102 feet) more or less, being regular in shape and situated immediately south of Lot 40, Plan M-27.

- (b) That an Offer to Purchase (Highway Closure), duly executed by John Balsillie Ross and Christina W. Ferns Ross, on 1995 June 2 and scheduled to close thirty (30) days after the enactment and registration of a by-law to stop up, close and sell the public walkway between No. 300 and No. 304 St. Andrews Drive, for the lands composed of the northerly half of Block "F" (Public Walkway) Plan M-27, having frontage along the easterly limit of St. Andrews Drive of 1.524 metres (5 feet) more or less, by a length of 31.0896 metres (102 feet) more or less, being regular in shape and situated immediately south of Lot 40, Plan M-27, municipally known as No. 304 St. Andrews Drive, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases (Sales)); and,
- (c) That the Mayor and the City Clerk be authorized and directed to execute the necessary documents; and,
- (d) That in accordance with Real Property Sales Procedural By-law No. 95-049:

- (i) satisfactory Notice has been given to the public of the intended sale; and,
 - (ii) no appraisal of the fair market value of the real property being sold was obtained since Highway (Public Walkway) closures and sales are exempt from this requirement; and,
 - (iii) the City Clerk be authorized and directed to execute and (issue) a Certificate of Compliance in the form prescribed by Section 193 of the Municipal Act.
26. That Section 68 of the First Report of the Transport and Environment Committee for as approved by City Council on 1994 December 13, respecting the sale to the Region of a one foot reserve measuring 0.305 metres x 53.146 metres (1 foot x 174 feet) more or less, being shown as Part 27 on Plan 62R-11788, be rescinded in its entirety.
27. (a) That the Encroachment Agreement for No. 89 Napier Street, registered as Instrument No. 9134 H.L., be discharged; and,
- (b) That the Mayor and the City Clerk be authorized and directed to execute the discharge documents for the Encroachment Agreement, registered as Instrument No. 9134 H.L. in a form satisfactory to the City Solicitor.
28. That the applications to retain inadvertent encroachments at the locations outlined on Appendix "A", appended hereto, be approved, provided:
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the first year fees and subsequent annual fees outlined in Appendix "A" be set for the encroachments.
29. (a) That the following City land be incorporated into a certain street in order to provide access to abutting property and complete the width of Appleblossom Drive:
- Appleblossom Drive Part 2 Plan 62R-13389; and,

- (b) That the by-law to carry out the incorporation of the said land into the foregoing street, be enacted by Council; and,
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.

30. (a) That the following City land be incorporated into a certain street in order to provide access to Queenston Heights Subdivision and to complete the width of Berkindale Drive:

Berkindale Drive	Block 5	Plan 62M-590
	Block 30	Plan 62M-726
	Part 14	Plan 62R-13203; and,

- (b) That the by-law to carry out the incorporation of the said land into the foregoing street, be enacted by Council; and,
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.

31. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of Wesley Urban Ministries to temporarily close Rebecca Street between Ferguson Avenue and Mary Street on Friday 1995 June 16, from 1:00 o'clock p.m. to 7:00 o'clock p.m., to hold a street festival, subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his/her designate be received, and that such permits or authorizations as may be required by the Chief of Police or his/her designate be obtained; and,
- (b) That the applicant provide a certificate of insurance evidencing \$2,000,000. public liability insurance; that the Corporation of the City of Hamilton is shown as an additional insured; and that the policy provides for cross-liability and severability; and,
- (c) That the applicant agree, in writing, to hold the Corporation of the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,
- (d) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,

- (e) That all barricading be supplied by and at the expense of the applicant; and,
 - (f) That "Temporary Road Closure" signs be installed in advance by the City of Hamilton Department of Public Works and Traffic on the affected roadways, if deemed necessary by the Director of Public Works and Traffic; and,
 - (g) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Commissioner of Transportation/ Environmental Services and at the expense of the event organizer; and,
 - (h) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
 - (i) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
32. (a) That the application of C. J. Poelmann, owner of 90 Edgemont Street North, to erect and maintain the encroachment of steps measuring 0.36m X 1.33m onto the road allowance of Edgemont Street, be approved during the pleasure of Council, provided:
- (i) That the owner enter into an agreement satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (ii) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement; and,
 - (iii) That the owner pay a first year fee of \$252. for processing and registration and an annual fee of \$20. for this encroachment; and,
- (b) That the application of the Y.W.C.A., owner of 66 Ottawa Street North, to erect and maintain the encroachment of two doors, each swinging 1 ft. onto the road allowance of Dunsmure Road, be approved during the pleasure of Council, provided:

- (i) That the owner enter into an agreement satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (ii) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement; and,
 - (iii) That the owner pay a first year fee of \$252. for processing and registration and an annual fee of \$20. for this encroachment.
- 33. That the Commissioner of Public Works and Traffic be authorized to close one lane of Mount Albion Road in the escarpment crest area for a period of five (5) days from 1995 July 10 to July 14 to facilitate guard rail replacements.
- 34.
 - (a) That the Commissioner of Public Works and Traffic be authorized to amend the residential curbside garbage collection schedule for the area bounded by Strathearne Avenue, Parkdale Avenue, Britannia Avenue and King Street East, from the existing Friday schedule to a Thursday pick up in order to improve collection operations; and,
 - (b) That the change in collection schedule be advertised in the Hamilton Spectator for two (2) consecutive weeks and through two (2) separate hand delivered "notices of collection change" to all affected residences, in order to facilitate a 1995 July 27 changeover; and,
 - (c) That the Commissioner of Public Works and Traffic be authorized to provide residential curbside garbage collection for the Christmas and Boxing day statutory holidays with the required funding being derived from the efficiencies gained in the Strathearne, Parkdale, Britannia Avenues and King Street East block rescheduling from Friday to Thursday pick up.
- 35. That the Commissioner of Public Works and Traffic be authorized to seek proposals for the planning, installation, marketing and ongoing management of landscape advertising for the City of Hamilton, recognizing that revenues will be directed to the City of Hamilton Traffic Island Beautification Programme.

36. That the construction of independent concrete sidewalks on the west side of Upper Gage from Stone Church Road to approximately 89.5m north of Robertsfield Drive (south limit of No. 1304), from approximately 120m north of Robertsfield Drive (north limit of No. 1300) to Loconder Drive and from approximately 74m north of Loconder Drive (north limit of No. 1250) to approximately 84m northerly (north limit of No. 1232) not proceed as a local improvement since the Clerk has received a sufficiently-signed petition against these works.
37. (a) That the School Crossing Guard at the intersection of Trevi/Greenshire Drive and Upper Paradise Road be removed at the end of the 1994 - 1995 School Year; and,
- (b) That City Council approve the assignment of a School Crossing Guard to the intersection of Sanatorium Road and Rice Avenue during the morning and evening periods only.

Recorded vote on Section 37 (a).

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson. -14.

NAYS: Aldermen D'Amico, Ross. -2.

CARRIED.

38. That the application of Creative Arts Inc. to temporarily close Longwood Road North, Paradise Road North and Bond Street North from King Street West to Princess Point, and the cross streets between Longwood Road and Paradise Road, including Glen Road, Dufferin Street, Edgevale Road, Roanoke Road, Norwood Road, Franklin Avenue, Kenmore Road, Dorset Place, Freeland Court and Desjardins Court, to all but pass holders, residents of the closure area and emergency vehicles, and to allow one way access to the parking area at Kay Drage Park from Macklin Street and one way exit from Kay Drage Park from Longwood Road, from Friday, 1995 June 30 at 12:00 o'clock noon to Monday, 1995 July 3 at 12:00 o'clock midnight, to hold the annual Earthsong Festival, be approved, subject to the following conditions:
- (a) That the prior approval of the Chief of Police or his/her designate be received, and that such permits or authorizations as may be required by the Chief of Police or his/her designate be obtained; and,
- (b) That the applicant provide a certificate of insurance evidencing \$2,000,000. public liability insurance; that the Corporation of the City of Hamilton is shown as an additional insured; and that the policy provides for cross-liability and severability; and,

- (c) That the applicant agree, in writing, to hold the Corporation of the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,
 - (d) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,
 - (e) That all barricading be supplied by and at the expense of the applicant; and,
 - (f) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic, on the affected roadways, if deemed necessary by the Director of Public Works and Traffic; and,
 - (g) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Commissioner of Transportation/ Environmental Services and at the expense of the event organizer; and,
 - (h) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
 - (i) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
39. (a) That the subdividers of Wisemount Estates Phase 3 and Edan Heights Phase 3 be required to modify the approved construction plans to construct the 1.5 metre sidewalks adjacent to the curb and eliminate the 1.0 metre boulevard within these plans of subdivisions; and,
- (b) That the standard subdivision agreement be amended to require that a copy of the General Plan of Above Ground Services indicating sidewalk/curb configuration be produced by the subdivider, be prominently displayed at all sales offices, and be incorporated in the Purchase/Sale Agreement.
40. That the Ministry of Environment and Energy (M.O.E.E.) be requested to notify the City of Hamilton of all future requests for amendments to Certificates of Approval respecting any issues which affects the City of Hamilton.

41.
 - (a) That an Offer to Purchase, executed by Union Gas Limited (D.A. Sulman, Vice-President), on 1995 June 5 and scheduled to close on or before 1995 August 18, for the lands being part of Lot 55, Concession 1, in the former Township of Ancaster, now in the City of Hamilton, described as Part 2 on Plan 62R-13242 (Plan No. RA-H-613 Surveys), having a frontage of 7.867 metres (25.810 feet) more or less, along the western limit of Ewen Road, and a depth of 28.865 metres (94.701 feet) more or less, comprising an area of 220.0 square metres (2,368.13 square feet) more or less, known municipally as the southern half of 26 Ewen Road, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Estate Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of \$18,600. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases (Sales)); and,
 - (b) That the required deposit cheque in the amount of \$1,860. be held by the City Treasurer pending Council approval; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
 - (d) That the City Clerk be authorized and directed to execute and (issue) a Certificate of Compliance in the form prescribed by Section 193 of the Municipal Act.
42. That leave be granted to introduce the following Bills:
 - (a) A-41 A By-law to Incorporate City Land Designated as Part 2, Plan 62R-13389 into Appleblossom Drive
 - (b) A-42 A By-law to Incorporate City Land Designated as Block 5 on Plan 62M-590, Block 30 on Plan 62M-726 and Part 14 on Plan 62R-13203 into Berkindale Drive
 - (c) A-43 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (d) A-44 A By-law to Amend By-law No. 89-72 to Regulate Traffic
43.
 - (a) That "No Parking" signs be erected on the east and north sides of Robson Crescent from the north property line of No. 51 Robson Crescent to the east property line of No. 57 Robson Crescent; and,
 - (b) That "No Parking" signs be erected on the south side of Robson Crescent from the west curb line of Robson Crescent to a point 89 feet easterly therefrom; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly. **ADDED.**

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1995 June 19

Appendix "A" as referred to in
Section 28 of the EIGHTH Report
of the Transport and Environment
Committee for 1995

<u>Location</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year /Annual</u>	<u>File No.</u>
36 Paisley Avenue South	A. and K. Martino	Steps 0.40m x 2.0m	105/20	T103 50
434 MacNab Street North	Jones	Building 0.45' x 17.33' and 0.48' x 5.00' Garage 1.10' x 12.00'	111/20	T103 50
19 Glasco Avenue North	T. Wilmer, J. Wilson	Steps 2.48"	134/20	T103 50
221 Napier Street	V. Pinchin	Verandah 2.3' x 17.0'	134/20	T103 50
60 West St. South	F. Seymour	Porch 0.088m x 4.02m	138/20	T103 50
68 Ashley Street	J. A. Turk and G. Armes	Steps 0.21m x 1.632m	138/20	T103 50
290 Hess Street	J. McDougall Pearce	Verandah 13.41m X 0.323m	138/20	T103 50
470 John Street North	P. and F. Nogueira	Porch .228m x 6.867m	138/20	T103 50
393 Mary Street	G. S. Harrison	Pads 4.69m x 3.04m and 4.57m x 2.43m and 4.69m x 2.93m and 4.57m x 3.14 0.74m x 0.72m	138/20	T103 50
106 Picton Street	P. Romano and G. Reeve	Steps 1.5m x 1.2m	138/20	T103 50
28 Mayflower Avenue		Steps 1.9m x 0.43m	138/20	T103 50
210 Queen Street South	W. Maloch	Cornice 11.887m x 0.417m Chimney 0.30m X 0.642m, Portion of Building 9.00m X 0.33m, Areaway 9.00m X 0.50m	138/20	T103 50

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FOURTEENTH** Report for 1995 and respectfully recommends:

1. That permission be granted to issue twenty (20) complimentary golf passes for Chedoke, Beddoe Course, to the Organizing Committee of the 9th Annual Great Lakes St. Lawrence Mayors Conference.
2.
 - (a) That approval be given to the Food Concession Co-ordinator, Department of Culture and Recreation to barbecue and sell food and beverages during the July 1st Canada Day Celebrations in Harbourfront and Pier 4 Parks on 1995 July 1; and,
 - (b) That 25 per cent of the gross sales be transferred to the First Night Hamilton Celebrations account to assist with the fundraising of the event.
3.
 - (a) That approval be given to Big Time Productions to host the annual "Music in the City Series" at Sam Lawrence Park, 12:00 o'clock noon to 2:00 o'clock p.m. on 1995 July 23, July 30, August 6 and August 13 and at Whitehern Gardens, 1995 August 25 subject to the following terms and conditions:
 - (i) That proof of \$2 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,
 - (ii) That the applicant assumes responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (iii) That a Special Duty Officer, as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
 - (iv) That Big Time Productions enters into a Licence Agreement satisfactory to the City Solicitor; and,

- (v) That the event be monitored by the Special Events/Festival Advisory Team, with a post-event report back to committee; and,
 - (b) That the City co-sponsor the "Music in the City" series by waiving the rental permit fee of \$25. per day for the dates listed sub-section (a) above.
4. That approval, as required by Section 11. (1) of the Parks By-law 95-126, be granted to Parents without Partners Chapter 73 to sell alcoholic beverages during their baseball tournament being held at Turner Park, on 1995 July 29 and July 30, subject to the following terms and conditions:
- (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury and proof of \$5 million Liquor Licence Liability Insurance be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,
 - (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up etc.); and,
 - (c) That alcoholic beverages be served in a confined area of the Park upon receipt of approval of the liquor Licence board; and,
 - (d) That Special Duty Officers as deemed necessary the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (e) That the organizers and their workers who are providing Alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program".

Recorded vote:

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross.
-15.

NAYS: Alderman Jackson. -1.

CARRIED.

5. That approval, as required by Section 8 of the Fireworks By-law No. 90-198, be granted to the Eastmount Community Council to hold a "Family Style" fireworks display on 1995 July 1 in Eastmount Park, located on East 26th Street, subject to the following terms and conditions:

- (a) That proof of \$5 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury be provided, at least 20 days in advance, naming the Corporation of the City of Hamilton as named insured with a cross liability endorsement; and,
 - (b) That the Eastmount Community Council agree to indemnify the Corporation of the City of Hamilton for any bodily injury or property damage caused by the fireworks display; and,
 - (c) That the Eastmount Community Council comply with all sections of the By-law No. 90-198.
6. That the location of the International Police Divers Symposium, previously approved by City Council on 1995 February 28, as Section 12 of the Sixth Report of the Parks and Recreation Committee for 1995, to use Pier 4 Park to view static displays and open-water exercises and demonstrations to be staged 1995 September 16, be amended to use Harbourfront Park, subject to the same terms and conditions.
7.
 - (a) That approval be given to the Director of Culture and Recreation to change the admission fees at the Hamilton Museum of Steam and Technology for the duration of the Annual Antique Steam and Gas Engine Show, 1995 July 22 and July 23 only as follows:

(i)	Adults	from \$2.34	to	\$2.80 excluding G.S.T.
(ii)	Students and Seniors	from \$1.87	to	\$2.80 excluding G.S.T.
(iii)	Children	from \$1.63	to	Free; and,
 - (b) That the admission fees be deposited into the Museum's Revenue Account No. CH44001 71405.
8. That approval, as required by the Grounds Use Policy, be granted to the 9th New York Volunteers to set up a small encampment, including 4 - 6 horses, on the grounds of Dundurn Castle on 1995 July 8 and July 9 for the annual Microcosm Festival subject to the following terms and conditions:

- (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury be submitted, naming the Corporation of the City of Hamilton as co-insured; and,
 - (b) That the encampment occupy only the pre-approved, archaeologically tested area designated by the Dundurn Curator; and,
 - (c) That no blackpowder or firing of weapons be permitted; and,
 - (d) That Dundurn staff and the 9th New York Volunteers assume responsibility for all clean up associated with the encampment.
9. That approval, as required by Section 31 (1b) of Parks By-law No. 77-221 be granted for approximately five exhibitors to park their cars/ trucks and one trailer on the grass at the east and south sides of the south parking lot at the Children's Museum during the Birthday Party event on 1995 July 20 (Raindate: 1995 July 21).
10. (a) That approval, as required by Section 11 (d) of the Parks By-law No. 77-221 be granted to the Pony Rides Co. and Ridgeway Photography to charge a "break-even" fee of \$2. per pony ride and \$5. per pony ride with photograph to cover the costs of labour, equipment, and materials with no profit during the Children's Museum Birthday Party event on 1995 July 20 (Raindate: 1995 July 21); and,
- (b) That approval, as required by Section 20 (1) of the Parks By-law No. 77-221 be granted to the Stoney Creek Raptor Rehabilitation Centre, the Hamilton Society for the Prevention of Cruelty to Animals (H.S.P.C.A.), and the Pony Rides Company of Catherine's to exhibit live predator birds, rabbits and a donkey, and to provide pony rides in Gage Park during the Children's Museum Birthday Party event on 1995 July 20 (Raindate: 1995 July 21).
11. (a) That the City of Hamilton enter into a Lease Agreement with Malcolm Bethune for farming purposes, to rent 54.29 acres, more or less, of land at the Mount Hamilton Cemetery on Rymal Road East, at an annual rental fee of \$1,520.12 (\$28. per acre) including estimated realty taxes of \$1,914.89, and said revenue be credited to Account No. CH44118 63001 (Rental Cemeteries); and,
- (b) That the Lease commence on 1995 May 1 for a period of three (3) years and terminate on 1998 April 30; and,
- (c) That the City Solicitor be authorized and directed to prepare the necessary lease.

12. (a) That a purchase order in the amount of \$73,425.17 including all taxes plus \$10,000. contingency amount be issued to Marta Paving Co. for the construction of asphalt paths and concrete curbs at various park locations, being the lowest of eight (8) tenders received in accordance with specifications C15-13-95 issued by the Purchasing Division and the Vendor's tender, and this expenditure be financed through the 1995 Park Development and Redevelopment Program Account No. CF 629554016; and,
- (b) That approval be given for the actions of the Chief Administrative Officer for authorizing the initiation of the asphalt and concrete work recognizing that this work was to be completed as soon as possible, and therefore the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states, "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".
13. (a) That the signing authority for the Manager of Cemeteries, Administrative Co-ordinator, Cemetery Support Clerk I, and Cemetery Support Clerk II in the Cemetery Division of the Public Works and Traffic Department be approved to permit these positions to process the non-discretionary contracts, established by the Cemetery Act. (prepayment certificates, deeds for interment right holders and contracts for cemetery supplies & services); and,
- (b) That Section 16 of the Thirteenth Report of the Parks and Recreation Committee for 1992 adopted by City Council at its meeting on 1992 June 30, respecting previous signing authority, be rescinded.
14. (a) That the concept plan for the West Harbourfront Development Study involving relocation of the CN marshalling yard "West Harbourfront Development Study Interim Report" as outlined in Appendix "A" attached hereto be received; and,
- (b) That staff be directed to arrange and attend a minimum of two public meetings to present the concept plan and receive input on the proposal and to obtain input from stakeholder groups including Burlington City Council and Region of Halton; and,
- (c) That the Planning and Development Committee be requested to direct Planning staff to participate with the Department of Public Works and Traffic/Parks Division in the arranging and attendance of meetings required to represent the West Harbourfront Development Study Concept Plan; and,

- (d) That on the basis of the T. B. McQuesten Multi-Cultural Gardens Project being identified as a principle component of the recommended concept plan, the T.B. McQuesten Multi-Cultural Garden Steering Committee be requested to approve the change in venue for this project; and,
 - (e) That a new development plan be established for the previously approved site of the T.B. McQuesten Multi-Cultural Gardens Project and that sufficient funding be set aside from approved Capital Account No. CF 629254005 to facilitate this development prior to funding being transferred to the Waterfront Project; and,
 - (f) That the remaining approved Capital funding CF 629254005 for the T. B. McQuesten Multi-Cultural Gardens Project including grants and donations be modified to reflect the change in venue; and,
 - (g) That a final report be forwarded to Parks and Recreation Committee and City Council by 1995 October 31.
15. That staff be authorized to approach the Hamilton Spectator for the purpose of establishing a Public Outreach Program for the formal naming of Harbourfront Park.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Copps. -1.

CARRIED.

16. That staff be authorized to asphalt pave the park walkways at Woodward Park in 1995 through the postponing of \$28,489. expenditures at Red Hill Bowl until 1996.
17. (a) That the Commissioner of Public Works and Traffic or his designate be authorized to implement the long term use of "Glen Manor, the Veever's Home" as outlined in Appendix "B" attached hereto; and,
- (b) That through the co-operation and assistance of participating academic partners notice of this opportunity as described in Appendix "C" be advertised Internationally; and,
- (c) That the Commissioner of Public Works and Traffic be authorized to finalize arrangements with Sheridan College, Interior Design Department to undertake preparation of an interior survey plan of the residence and an interior decoration plan as part of its senior class curriculum in interior design commencing Fall 1995; and,

- (d) That the interior furnishings, other household effects, including but not limited to the ice box and truck and archival materials, such as photographs, letters, diaries, receipts, maps, publications, general papers, relevant to the history of the Veevers property that are specifically related to the dairy and orchard farm operations and retail dairy operation prior to the 1950's be set aside for future consideration and that space be made available in a secure area of the Veever's Property for interim storage"; and,
 - (e) That the Director of Property be authorized to dispose of the balance of household effects and furnishings not required in the residence nor set aside for historical preservation, by way of public auction; and,
 - (f) That through the offices of the Ward Aldermen a public meeting be held to inform neighbourhood residents of the proposed use; and,
 - (g) That funding for interior renovations necessary to the proposed use be charged to the annual interest received from the trust fund established under the Wills of Bertram & Ronald Veevers and from the proceeds of the household items sold by auction.
18. That Hamilton, as landlord of LaSalle Park, endorse Burlington's intention, as tenant, to restore the fire damaged Pavilion provided:
- (a) all restoration costs are the sole responsibility of Burlington; and
 - (b) this endorsement is preliminary, subject to Hamilton's being satisfied that the actual restoration plans (to be submitted by Burlington) will provide for the restoration of the Pavilion in accordance with the plans previously approved by Hamilton in 1993.
19. (a) That the City of Hamilton, as Landlord of LaSalle Park, grant conditional approval to the City of Burlington, Tenant, to permit the following major capital improvements to the infrastructure at LaSalle Park as an approved Canada/Ontario Infrastructure Works Project in the amount of \$194,000. in accordance with Sections 6 and 9 of the LaSalle Park Lease dated 1985 March 28; namely, construction of new water service for fire protection, construction of new walkway on the edges of the dock, repaving and landscaping of the dock surface, subject to the City of Burlington:
- (i) agreeing that Hamilton shall not be obligated under Section 24 of the Lease to pay Burlington for the undepreciated capital improvement cost of the said major capital improvement; and,

- (ii) executing an agreement to amend the existing Lease incorporating these approvals and conditions; and,
 - (iii) providing a survey of the location of the new water service and a copy of the final plans and specifications of the proposed works; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute an agreement to amend the Lease of LaSalle Park, incorporating these approvals and conditions.
20. (a) That an Option to Purchase, duly executed by the Hamilton-Wentworth Roman Catholic Separate School Board, on 1995 February 1 and scheduled to close on or before 1995 October 6, for the purchase of part of Lot 16A and part of Roxborough Avenue (closed by Judge's Order-Instrument 377436AB) on Registered Plan No. 772, which said lands are more particularly described as Part 1 on Reference Plan 62R-9776, and have a frontage along the northerly limit of Vittorito Avenue of 174.258 metres (571.713 feet) more or less, a flankage along the easterly limit of Prins Avenue of 193.895 metres (636.138 feet) more or less, containing an area of 3.355 hectares (8.29 acres) more or less, and known by the municipal address No. 141 Vittorito Avenue, be approved and completed; and,
- (b) That, subject to the Finance and Administration Committee approving the recommendation of the City Treasurer, the purchase price of \$800,000. plus GST if applicable, be financed from the Reserve for Park Lands (5% Land Dedication) Account Centre 00201; and,
- (c) That it is a condition of this Option to Purchase that The Hamilton-Wentworth Roman Catholic Separate School Board shall obtain the approval of the Ministry of Education and Training on or before 1995 September 29, failing which this option is null and void; and,
- (d) That it is a condition of this Option to Purchase that the City may obtain a soils test which shall indicate that the property is free of environmentally dangerous material on or before 1995 September 29, failing which, this Option is null and void. If the City does not notify the owner by the applicable date, the City shall be taken to have irrevocably waived the condition; and,
- (e) That as consideration in the amount of \$2. has been paid to the owner pursuant to the agreement, this amount be deducted from the purchase price; and,
- (f) That it is understood and agreed by the parties that the City shall pay one half of the purchase price, namely Four Hundred Thousand (\$400,000.), on the closing date, 1995 October 6. The balance of the purchase price, Four Hundred Thousand (\$400,000.), shall be paid by the City, without interest, on 1996 January 4; and,

- (g) That the Director of Property be authorized and directed to obtain a Phase 2 Environmental Assessment from a qualified environmental consulting engineer at a cost not to exceed \$10,000. should preliminary site investigation indicate risk of environmental hazard; and,
- (h) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Copps, Eisenberger, Charters, Jackson, D'Amico. -10.

NAYS: Aldermen Drury, Morelli, Wilson, Merling, Anderson, Ross. -6.

CARRIED.

- 21. (a) That an Offer to Purchase Agreement, executed by Homes By DeSantis Inc. (Peter DeSantis, President) and Marz Homes Holdings Inc. (Marzio Pompiani, President), on 1995 June 5 and scheduled to close on or before 1996 January 5, for the lands being part of Lot 29, Concession 2, in the geographic Township of Saltfleet, comprising an area of 1.66 acres (0.067 hectares) more or less, having a frontage of 132.75 feet, more or less, on Kentley Drive, as shown as Part A on Schedule "A" attached to the Agreement, and municipally known as No. 91 Nash Road North, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$293,615. be credited to Account Centre No. 00201 (Reserve for Acquisition of Parkland); and,
- (b) That the required deposit cheque in the amount of \$29,361.50 be held by the City Treasurer pending Council approval; and,
- (c) That this Offer to Purchase be conditional upon the Board of Education for the City of Hamilton's acceptance of the Purchaser's offer to purchase the lands municipally known as 26 Kentley Drive, Hamilton being part of Lot 29, Concession 2, in the geographic Township of Saltfleet, comprising an area of 6.0 acres more or less, hereinafter referred to as the "Board Lands"; which lands are directly adjacent to the subject lands; and,
- (d) That the Vendor and Purchaser acknowledge:
 - (i) that the purchase price be calculated upon the following:

- (1) that the purchase price herein is based upon the lands comprising an area of 1.66 acres and the Board Lands comprising an area of 6.00 acres; and,
- (2) that the purchase price is based on a rate of \$176,877. per acre as determined by the pending acquisition of the adjacent Board Lands. It is understood and agreed by the Vendor and Purchaser that the aforementioned rate may be changed by the Board of Education for the City of Hamilton; and,
- (ii) that if the land subject to the herein transaction and/or the Board Lands adjacent are found by an accredited Ontario Land Surveyor to contain more or less than the acreage noted in paragraph (d)(i)(1), as certified by the certificate of the said Surveyor, which shall be final and binding on the Vendor and Purchaser, the purchase price shall increase or abate accordingly; and/or,
- (iii) that if the per acreage rate noted in paragraph (d)(i)(2) is amended by the Board of Education for the City of Hamilton, the purchase price for the subject land shall increase or abate accordingly; and,
- (e) That the Purchaser shall, at its sole cost and expense, obtain a current survey signed and under seal by an Ontario Land Surveyor in good standing together with a certificate of acreage. A copy of the survey and certificate shall be provided to the City no less than thirty (30) days prior to the completion of the herein transaction; and,
- (f) That the Purchaser be authorized to include the City owned lands shown as Part "A" on Schedule "A" attached to the Agreement in their Land Titles System application, draft Plan of Subdivision, Land Severance Application, and any other documentation or application which may be required for the development of the herein land. The Vendor agrees to execute all documents reasonable to the foregoing process; and,
- (g) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
- (h) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (i) satisfactory notice has been given to the public of the intended sale; and,
 - (ii) an appraisal of the fair market value of the real property intended to be sold was obtained on 1995 June 9; and,

- (iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

- 22. (a) For the information of City Council, the Parks and Recreation Committee have appointed the following persons to serve on the New Mum Show Sub-Committee for a term to expire 1997 November 30:

- (i) John Carey
- (ii) Jean Carey
- (iii) Katherine Killins
- (iv) Russell Geddes
- (v) Jeanne Reid
- (vi) Lorne Kenyon
- (vii) Terry Tobin
- (viii) Barbara Bragdon; and

- (b) The Parks and Recreation Committee have appointed Alderman Tom Jackson and Alderman Mary Kiss to serve on the New Mum Show Sub-Committee.

- 23. (a) For the information of City Council, the Parks and Recreation Committee have appointed the following persons serve on the Arts Advisory Commission for a term to expire 1997 November 30:

- (i) Margaret Anderson-Herrmann
- (ii) Kenneth Douglas Freeman
- (iii) Trevor Hodgson
- (iv) Janna Malseed
- (v) Don Moffatt
- (vi) Susan Penrose
- (vii) Ted Pietrzak
- (viii) William B. Powell
- (ix) Peter A. Rogers
- (x) Susan Worthington; and,

- (b) The Parks and Recreation Committee have appointed Alderman Marvin Caplan to serve on the Arts Advisory Commission.

- 2- (a) For the information of City Council, the Parks and Recreation Committee have appointed the following persons to serve on the Hamilton Historical Board for a term to expire 1997 November 30.
- (i) Gordon Birk
 - (ii) David Cuming
 - (iii) Stephen J. Kostyshyn; and,
- (b) The Parks and Recreation Committee have appointed Alderman Bill McCulloch and Alderman Bernie Morelli to serve on the Hamilton Historical Board.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN F. EISENBERGER, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1995 June 20



Appendix "A" as referred to in
Section 14 of the FOURTEENTH
Report of the Parks and
Recreation Committee for 1995

West Harbourfront Development Study

DRAFT

INTERIM REPORT

May 1995

City of
HAMILTON

WEST HARBOURFRONT DEVELOPMENT STUDY - INTERIM REPORT

1. History of the Project
2. Objectives of the West Harbourfront Development Study
3. Study Team Organization
4. Work Schedule
5. West Harbourfront Development Study Concept Plan

WEST HARBOURFRONT DEVELOPMENT STUDY - INTERIM REPORT

1. History of the Project

The West Harbourfront Development Study is a study to provide long and short term development plans and guidelines for the West Harbourfront Precinct in the City of Hamilton and to ensure a co-ordinated development involving private sector opportunities and joint venture initiatives.

The study will recognize the need to minimize the negative impacts of any development or intensification of use to the adjacent residential neighbourhoods and the community at large. Strategies will be developed to provide positive tourism, recreation and economic and environmental benefits compatible with the needs of this community.

Funding for the West Harbourfront Development Study was approved by City Council January 26, 1993 in the amount of \$300,000.00. These funds were allocated to conduct supporting technical studies to arrive at a comprehensive final document to govern the character of new development and redevelopment within the precinct.

To date the funding has been allocated to the following technical studies:

January 25, 1994	1. CN Feasibility Study	
	Relocation of Marshalling Yards	\$ 95,000.00
March 29, 1994	2. Historical Background Study	\$ 10,000.00
	3. Transportation and Traffic Issues	\$ 50,000.00
	4. Public Outreach Programme	\$ 19,850.00
	5. Project Co-ordination, sports complex issues, development plans for Harbourfront Park and West Harbourfront Precinct, land ownership and report preparation	\$ 80,000.00
	6. Production of final document	\$ 35,000.00
	7. Miscellaneous expenses	<u>\$ 10,000.00</u>
		\$299,850.00

The ideal outcome of the West Harbourfront Development Study will be a final document incorporating the many technical studies and their findings in a co-ordinated fashion outlining plans and guidelines for the future development of the West Harbourfront Precinct.

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At its meeting 1994 October 12th, the Parks and Recreation Committee forwarded the following recommendations to the West Harbourfront Development Steering Committee.

1. That the T.B. McQuesten Multicultural Gardens project be considered within the context of the West Harbourfront Development Study and that consideration be given to the following:
 - a) the president of the T.B. McQuesten Steering Committee or his designate be added as a member of the West Harbourfront Development Study Steering Committee;
 - b) the integrity of the approved concept plan for T.B. McQuesten Multicultural Gardens be maintained including keeping the gardens as a singly entity and not divided into pieces;
 - c) that all funds approved by City Council and received through grants, donations and other fundraising efforts remain with and be used for the Gardens; and,
2. That upon completion of the West Harbourfront Development Study, wherein an implementation time table will have been proposed, the T.B. McQuesten Multicultural Gardens Steering committee be provided the opportunity of commenting on the appropriateness of relocating the project to the west harbourfront precinct and their ability to remain actively involved; and,
3. That until a final decision is made on where to develop the multicultural gardens, the T.B. McQuesten Park site on Upper Wentworth Street be reserved for that purpose.

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2. Objectives of the West Harbourfront Development Study

Goals

For the long term, prepare development guidelines and conceptual plans for the successful, integrated development of the West Harbourfront Precinct.

For the short term, prepare detailed development plans for the Harbourfront Park site.

Study the feasibility of developing a multi-use sports complex/feature attraction, within the West Harbourfront Precinct.



West Harbourfront Development Study

No. 1 • December 1994

GOALS, OBJECTIVES AND PLAN DEVELOPMENT PRINCIPLES

Introduction:

The following goals, objectives and plan development principles for the West Harbourfront Development Study are intended to guide those involved in the planning process for the West Harbourfront Precinct and indicate to potential partners the foundation on which the future development plan will be established. The goals, objectives and principles were derived from the original Terms of Reference for the West Harbourfront Development Study, the Vision Game exercise involving many stakeholder groups, and statements made and submissions received at the Technical Advisory Committee and Steering Committee meetings.

A NEW CENTURY, A NEW WATERFRONT, A NEW HAMILTON

MISSION STATEMENT

To provide a guide for the development of the West Harbourfront Precinct of the City of Hamilton which is sensitive to this unique area and the needs of residents and tourists. Development opportunities are to be identified recognizing the need to enhance public access to the waterfront, as well as, opportunities for both public and private

GOALS

1. To prepare detailed development plans for the Harbourfront Park site recognizing the special significance of this place, within the context of the City of Hamilton, that meet the expressed needs of this community.
2. To prepare development guidelines and conceptual plans for the integrated redevelopment of the West Harbourfront Precinct in order to:
 - a. enhance opportunities in Hamilton for tourism, recreation and commerce,
 - b. maximize universal public access to, and use of the waterfront,
 - c. promote the positive image of the City of Hamilton, and
 - d. encourage and facilitate formation of partnerships with the private sector and senior levels of government in conformity with Hamilton's own vision for the precinct.

OBJECTIVES

1. To develop strategies, including joint ventures and other partnership arrangements, to provide tourism, recreation, economic and environmental benefits compatible with the needs of this community, while reflecting human and natural environmental enhancements within the context of sustainable development.
2. To study the feasibility of developing a multi-use sports complex/feature attraction, within the West Harbourfront Precinct.
3. To integrate future developments and be compatible with adjacent residential neighbourhoods and the community at large.
4. To develop strategies to promote and encourage land use conversions to uses compatible with the development plan.
5. To identify and establish links with the existing central business district of the City and ensure new development is compatible.
6. To increase public access to the waterfront by bicycle, walking, public transit and car.

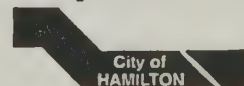
PLAN DEVELOPMENT PRINCIPLES

1. The plan preparation process should follow the directions of the Region's adopted VISION 2020 policy with regard to sustainable development with consideration for economic, environmental and social impacts.
2. The plan preparation process should recognize the industrial, commercial, residential, historical, and environmental attributes of the Precinct.
3. The plan preparation process should encourage the establishment of partnerships to facilitate the successful implementation of the plan.
4. The plan preparation process shall encourage Downtown Business Associations to introduce marketing schemes and other programs geared to drawing tourists and citizens from the West Harbourfront Precinct.
5. The plan preparation process should include a transportation system that provides the smooth ingress and egress in the West Harbourfront Precinct, linkages with adjacent areas of the community, and sufficient support facilities in the form of parking and traffic control, reducing the dependence on single occupancy motor vehicles and focus on alternative modes, such as walking, cycling, public transit and ride sharing. In addition the plan recognizes that there will be continuous main rail traffic through the study area in the future.
6. Through the provision of such amenities and design features as comfort stations, signage, pedestrian/bicycle linkages and other modes of transport, the development plan should identify connections to downtown and other established commercial districts.
7. The plan preparation process should endeavour to identify and enhance significant environmental features in the West Harbourfront Precinct.
8. Public open space should be of such an area and design to meet the needs and requirements of present and future users and complement the adjacent downtown area.
9. The plan preparation process should encourage acquisition of lands on the water's edge for public use.
10. The West Harbourfront Precinct should be a fully integrated, all season development providing a diversity of uses, buildings and experiences that include quality community amenities and tourist attractions.
11. The plan preparation process should be prepared and implemented through public consultation and input.

Approved:

These Goals, Objectives and Plan Development Principles were approved by the W.H.D.S. Steering Committee on December 5, 1994.

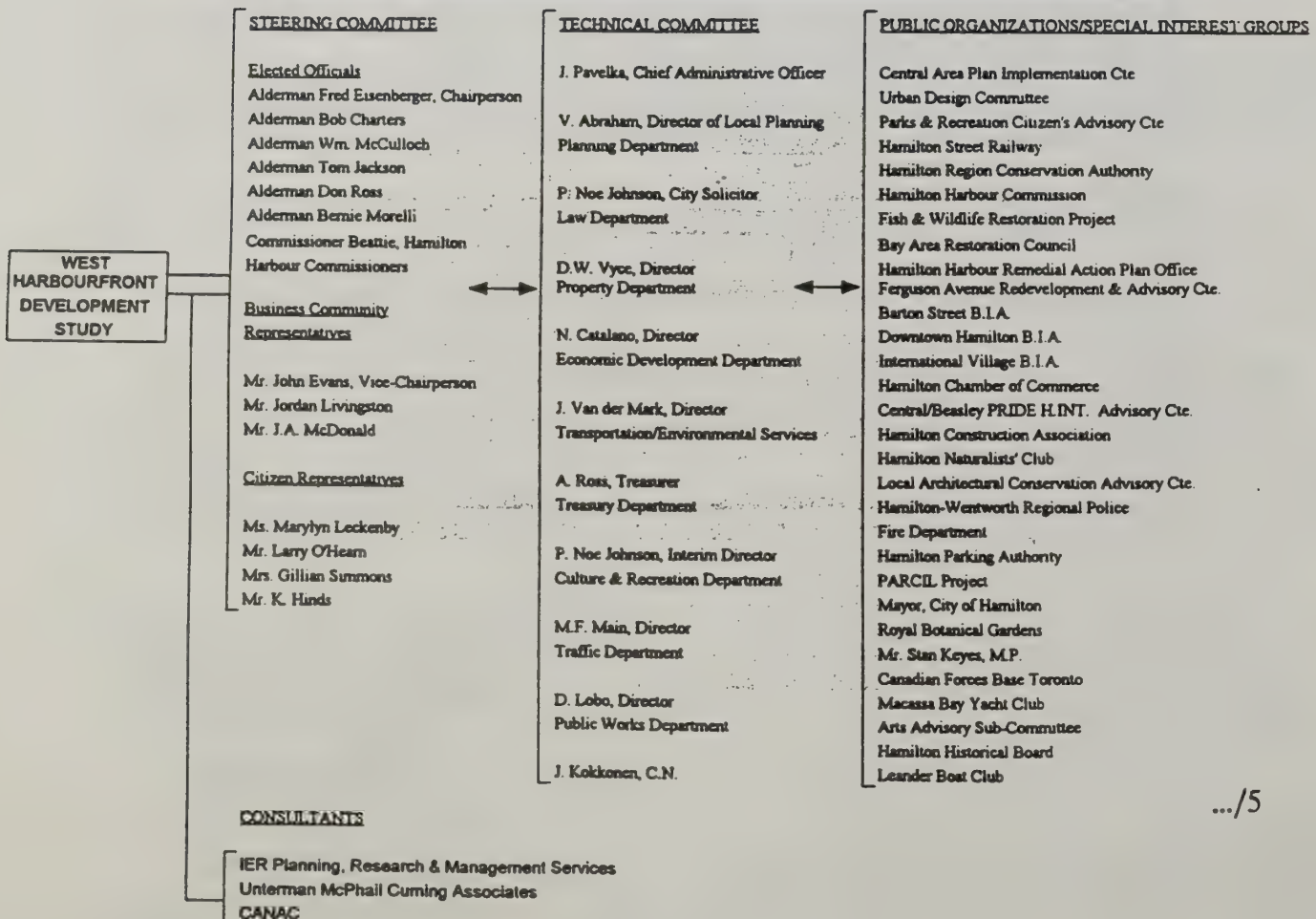
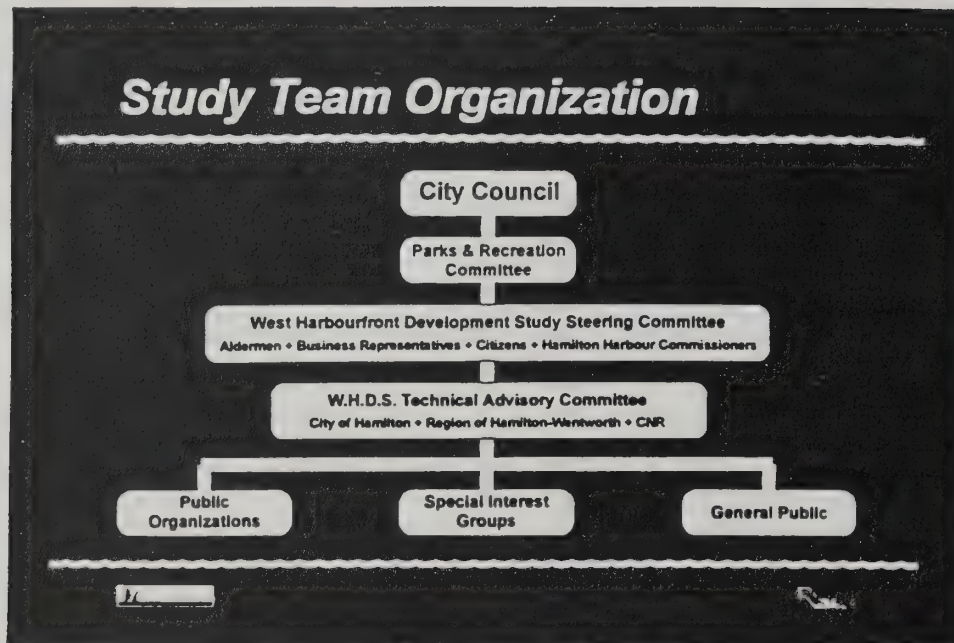
West Harbourfront Development Study



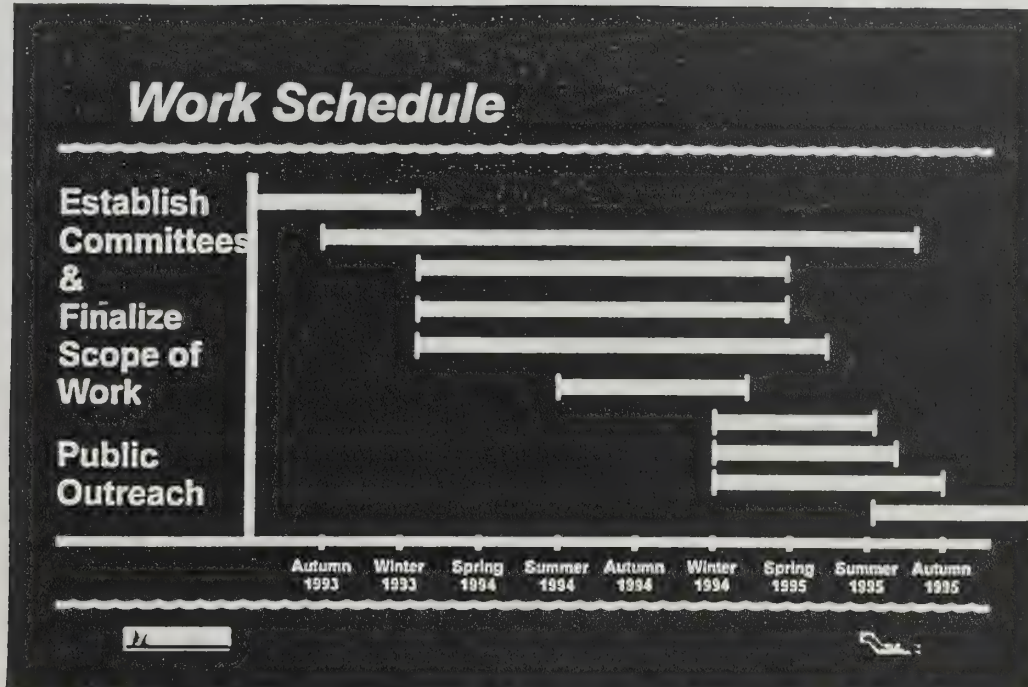
For further information, please contact:

Department of Public Works
Parks Division
City Hall, 71 Main Street West
Hamilton, Ontario, L8N 3T4
Telephone: (905) 546-2409
Facsimile: (905) 546-2443



3. Study Team Organization

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4. Work Schedule

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5. West Harbourfront Development Study Concept Plan

This concept was developed as a result of our on-going Steering and Technical meetings with input from stakeholder groups. Also input was received through our public meetings, Vision Game and Design Concept Workshop. Impacting initiatives such as but not limited to Vision 20/20, The Renaissance Project and Remedial Action Plan have been incorporated in the plan emphasizing sustainable community implications.

In accordance with the Terms of Reference for this project the plan is divided into 3 principle components as follows:

A. Harbourfront Park: For the short term, prepare detailed development plans for the Harbourfront Park site.

- multi-purpose building to include: washrooms, comfort station, community police office, office space, kitchen/concession/eating area, performance area
- entrance building - for rental of items such as strollers, rollerblades, lockers
- children's play area - junior and senior play structure
- sunshelters - major covered area for picnics
 - minor shelters strategically located
- upper level walkway/service road
- natural area boardwalk
- Feature Art Area
- drinking fountains
- irrigation
- lighting
- Macassa Bay marinas - expansion to accommodate moorage for water taxi and tourist boats
- unrestricted public access should be created across shorelands to link Pier 4 and Harbourfront Parks
- this corridor can accommodate commercial uses such as restaurants, cafes, boutiques, etc.
- Hamilton Harbour Commission Harbour West Marina

B. West Harbourfront Precinct: For the long term, prepare development guidelines and conceptual plans for the successful, integrated development of the West Harbourfront Precinct.

TRANSPORTATION

- relocation of the railway marshalling yard
- maintain 2 CNR primary lines

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- Perimeter Road
 - initial phase - Bay St. and York Blvd.
 - alternate phase - Regional Council approved route - immediately south of railway lands through the precinct
- pedestrian linkages and bicycle trails - 20 ft. wide trail system along water's edge
- internal road system
- parking - combination surface/underground parking
- potential for a shuttle train - to CN Station or Go Station
- water taxi
- pedestrian underpass at Bay and Cannon Streets

SHORELINE

- public corridors, waterfront access
- natural edge treatment - habitat restoration
- connection to Waterfront Regeneration Trust trail
- bridge to Harbourfront Park over Strachan St. Channel
- wharf at foot of Dundurn Park.
- Fish and Wildlife Restoration Project have approved island development incorporating pedestrian access

RESIDENTIAL

- increased population of approximately 10,000 to support year round activities within precinct and Central Business District.
- preservation of existing residential areas
- future residential development areas include a transitional zone north of Barton to the slope and pockets adjacent to T.B. McQuesten Park site.

COMMERCIAL/RETAIL

- Bay St. and Stuart St. area
- Macassa Bay corridor
- Harbour West Marina, piers 5, 6, 7 & 8
- these land uses are market driven and in some areas it is recommended first floor retail - upper floors residential

PARKLAND

- open space is important and must be maintained
- Central Park will be relocated to better accommodate existing residential areas
- Eastwood Park provides major sports activity site for North end

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- C. Multi-Use Sports Complex: Study the feasibility of developing a multi-use sports complex/feature attraction, within the West Harbourfront Precinct.

MULTI-USE SPORTS COMPLEX

- candidate location chosen by Design Concept Workshop group was Eastwood Park. On the positive side this location ties into transportation network and forces waterfront development further east. On the negative side the impact on the neighbourhood would be substantial. This is the only park site in the neighbourhood. Parking would be a concern.
- the stadium will physically fit at this location however market studies would need to be conducted including other candidate sites not within study precinct
- the concept will represent Eastwood Park as it exists and shows, the stadium as an overlay

FEATURE ATTRACTIONS

- existing features ie. Dundurn Castle, Copps Coliseum, Harbourfront Park, Pier 4 Park, Royal Botanical Gardens
- T.B. McQuesten Gardens and Cultural Centre - strong visual and pedestrian link with Cental Business District maintaining the integrity of design as a single entity
- possible future major attraction, ie. Hamilton-Scourge Warship Museum, Military Museum, historic ship building
- outdoor amphitheatre tied into T.B. McQuesten
- historic zone - Lakeport Village and wharf - historical themed zone

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LAND USE

Total Study Area 664 acres

Development Potential Area 170 acres

Existing Use

(within development area)

Rail Area 34%

Industrial 38%

Commercial 3%

Residential 15%

Park 10%

Proposed Use

(within development area)

Rail Area 7.5%

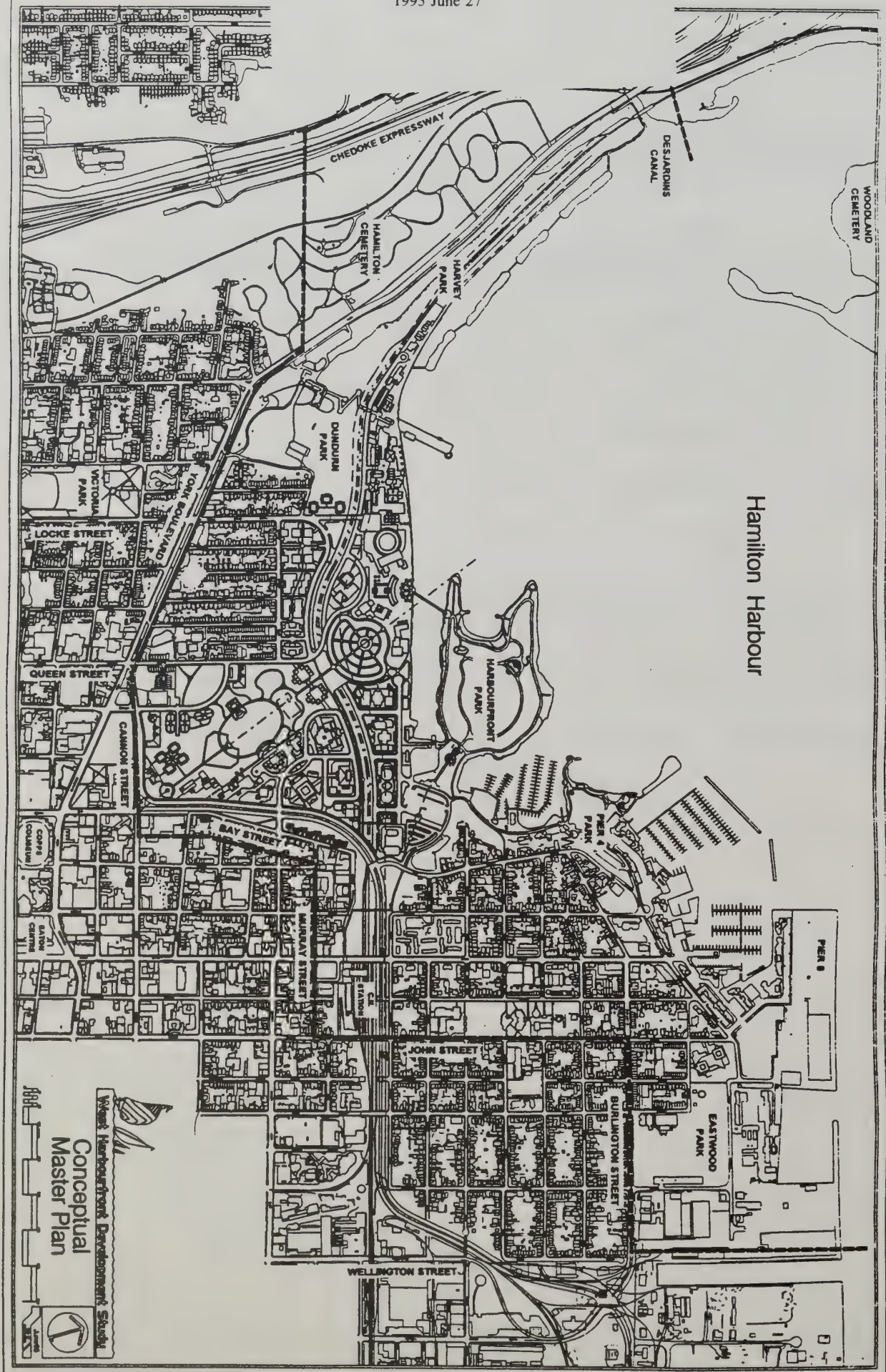
Mixed Use Residential
Commercial/Retail 41.5%

Retail 9%

Residential 14%

Park & Multi-Cultural
Gardens 18%Feature Attraction &
Amphitheatre 9%

Institutional 1%



"GLEN MANOR, THE VEEVER'S HOME"

A PLAN FOR LONG TERM USE

THE PLAN calls for the residential use of the estate property, on a lease basis, to an individual having credentials in the historical/horticultural field and willing to share his/her expertise with the City of Hamilton as well as academic and/or other institutions interested in participating in this project.

The target area for attracting parties would be international and the target market would include scholars, researchers, consultants, business and public sector individuals having the opportunity of taking leave from their full time employ through a sabbatical or other arrangement.

The duration of the residency would be specific to the party involved and would likely vary from one individual to another. The residency would apply to the qualified individual and his or her immediate family members with provision for visiting guests to be accommodated for reasonable lengths of time.

In return for use of the Veever's Estate Property, affected individuals would be required to provide to the City of Hamilton their expertise on a gratis basis for a mutually acceptable amount of time ie. two to three days per week. The actual scheduling of one's time would depend upon the field of expertise, the type and range of projects requiring work, time of year and the extent to which project partners would benefit from or otherwise require the services of the visiting party.

THE PROCESS would involve a team of academic partners working with municipal staff to manage the project. The initial list of participating institutions and agencies includes:

Royal Botanical Gardens
Niagara Parks Commission
University of Guelph - School of Landscape Architecture
University of Toronto - School of Architecture and Landscape Architecture
McMaster University - Department of Biology
Niagara College
Sheridan College

Notice of the project would be circulated internationally using systems available through participating academic partners. Applications from interested candidates would be reviewed by the staff team; a recommendation to select a qualified resident would be submitted to the Parks and Recreation Committee for consideration.

The details for each term of residency would be recommended by the staff team and are expected to vary with each successful candidate.

UNIQUE CANADIAN OPPORTUNITY

The City of Hamilton, Ontario has a fully furnished, 5 bedroom estate residence - circa 1802 available for use by a person having credentials in the horticultural/historical fields of expertise. Occupancy would be limited to periods not exceeding 1 year during which time the successful candidate would be expected to provide the City and its academic partners a mutually agreed upon amount of professional service/consultation in lieu of rent and to be responsible for specified property upkeep and yard duties, utility charges and personal family expenses.

Interested parties may write for further information or submit letter of interest to Commissioner of Public Works and Traffic, 71 Main Street West, Hamilton, Ontario, Canada, L8N 3T4.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIFTEENTH** Report for 1995 and respectfully recommends:

1. That Zoning Application ZAC-95-09, Thomas S. Loth, owner, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations to legalize the existing three-family dwelling (triplex), for property located at 207 Fairleigh Avenue South, as shown on the attached map marked as Appendix "A", be denied on the following basis:
 - (a) The proposal does not comply with the Approved St. Clair Neighbourhood Plan, which designates the subject lands "Single and Double Residential"; and,
 - (b) The proposal conflicts with Council adopted policy regarding Housing Intensification and the implementing Zoning By-law No. 92-281, which permit conversions of single-family dwellings as-of-right in all low density residential zones, for one additional unit. In this regard, it is Council policy to allow conversions in "C" (Urban Protected Residential, etc.) Districts for a maximum of two dwelling units (ie. duplex); and,
 - (c) The proposal represents the intrusion of a three-family dwelling into the interior of a predominantly one and two-family dwelling neighbourhood. Furthermore, the inability to provide parking in accordance with Zoning By-law standards increases the demand for on-street parking. In this regard, the proposal has the potential to alter the character of the low density residential neighbourhood; and,
 - (d) Approval of this application may encourage other similar applications, which, if approved, would undermine the intent and purpose of the Zoning By-law.
2. (a) That approval be given to Application CD-95-004, under the Rental Housing Protection Act, Sachetta Investments, owner, for conversion of 12 rental apartment units to condominium units for the property located at 41-43 Albert Street, subject to the following conditions:

- (i) That the Owner offer, in writing, to the Tenants named in Appendix "B" as herewith attached, the right to lease their current unit, noted in Appendix "B", for a period of not less than three years from the registration on title of the Rental Housing Protection Act (RHPA) Approval Agreement required below, at the rent rate set out in Appendix "B", upon the following minimum terms:
 - (1) That the Offer must be made within 45 days of the date this resolution is approved by City Council and shall be open for acceptance by the Tenants for a period of at least 30 days; and,
 - (2) That leases entered into as a result of (1) above, be executed prior to the City's execution of the RHPA Approval Agreement; and,
 - (3) That the Tenants' rent shall not be increased during the duration of the lease but for increases permitted under the Residential Rent Regulation Act, as amended; and,
 - (4) That such lease shall commence on the date the Owner's Offer is accepted by signature of the Tenant; and,
 - (5) That the Tenants' may terminate the said lease at any time on 60 days written notice, without penalty.
- (ii) That the Owner grant to the Tenants named in Appendix "B" an Option to Purchase a Unit specified in Appendix "B", (together with appurtenant interests). Such Option shall allow each tenant at least three years from the registration on title of the RHPA Approval Agreement to exercise their Option to purchase a unit. Within forty-five (45) days of a Tenant's Notice that it is exercising the Option, the Owner and Tenant shall negotiate and enter into an Agreement of Purchase and Sale form, in a form acceptable to the Hamilton Real Estate Board, with the necessary amendments for the sale of a Unit by the Owner, which Agreement shall incorporate the conditions in Appendix "C" annexed hereto; and,
- (iii) That the Tenant shall have 30 days from receipt of such Option to sign and return to the Owner a copy of the Option acknowledging that he is interested in having the Option in his/her favour and acknowledging that he/she realizes that a formal Notice in writing to the Owner signed by the Tenant shall be received by the Owner on or before the date for such Notice specified in the Option; and,

- (iv) That this RHPA approval shall cease and be at an end:
 - (1) If the Owner has sold the land without entering and registering the RHPA Approval Agreement with the City; and,
 - (2) In any event, within five years from the date of this approval resolution of Council, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton; and,
- (v) That the Owner shall enter into a RHPA Approval Agreement with the City satisfactory in form to the Director of Planning and Development and to the City Solicitor, incorporating the City's conditions of approval listed herein (and in Appendices "B", "C" and "D" annexed hereto) and register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval; and,
- (vi) In the event that the Owner proposes to sell all of the subject lands, he shall ensure that any prospective new land owner of the whole property, enters into an assumption agreement to assume the obligations of the Owner herein; and,
- (vii) That the Owner provide the City Solicitor and the Director of Planning and Development with satisfactory evidence that any and all mortgagees of the property consent to the Rental Housing Protection Act (RHPA) application; and,
- (viii) That the Owner pay all outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval; and,
- (b) That upon satisfaction of the above-noted conditions, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.
- 3. (a) That approval be given to Application CD-95-005, under the Rental Housing Protection Act, Roy Megna (In Trust for Guiseppe Megna), owner, for conversion of 22 rental apartment units to condominium units for property located at 352 - 356 Hunter Street East and 122 Emerald Street South, subject to the following conditions:

- (i) That the Owner offer, in writing, to the Tenants named in Appendix "E", the right to lease their current unit, noted in Appendix "E", for a period of not less than three years from the registration on title of the Rental Housing Protection Act (RHPA) Approval Agreement required below, at the rent rate set out in Appendix "E" herewith attached, upon the following minimum terms:
- (ii) That the Offer must be made within 45 days of the date this resolution is approved by City Council and shall be open for acceptance by the Tenants for a period of at least 30 days; and,
- (iii) That leases entered into as a result of (1) above, be executed prior to the City's execution of the RHPA Approval Agreement; and,
- (iv) That the Tenants' rent shall not be increased during the duration of the lease but for increases permitted under the Residential Rent Regulation Act, as amended; and,
- (v) That such lease shall commence on the date the Owner's Offer is accepted by signature of the Tenant; and,
- (vi) That the Tenants' may terminate the said lease at any time on 60 days written notice, without penalty.
- (vii) That the Owner grant to the Tenants named in Appendix "E" an Option to Purchase a Unit specified in Appendix "E", (together with appurtenant interests). Such Option shall allow each tenant at least three years from the registration on title of the RHPA Approval Agreement to exercise their Option to purchase a unit. Within forty-five (45) days of a Tenant's Notice that it is exercising the Option, the Owner and Tenant shall negotiate and enter into an Agreement of Purchase and Sale form, in a form acceptable to the Hamilton Real Estate Board, with the necessary amendments for the sale of a Unit by the Owner, which Agreement shall incorporate the conditions in Appendix "F" attached herewith; and,
- (viii) That the Tenant shall have 30 days from receipt of such Option to sign and return to the Owner a copy of the Option acknowledging that he is interested in having the Option in his/her favour and acknowledging that he/she realizes that a formal Notice in writing to the Owner signed by the Tenant shall be received by the Owner on or before the date for such Notice specified in the Option; and,
- (ix) That this RHPA approval shall cease and be at an end:

- (1) If the Owner has sold the land without entering and registering the RHPA Approval Agreement with the City; and,
 - (2) In any event, within five years from the date of this approval resolution of Council, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton;
- (x) That the Owner shall enter into a RHPA Approval Agreement with the City satisfactory in form to the Director of Planning and Development and to the City Solicitor, incorporating the City's conditions of approval listed herein (and in Appendices "E", "F" and "G" attached herewith) and register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval; and,
- (xi) That in the event that the Owner proposes to sell all of the subject lands, he shall ensure that any prospective new land owner of the whole property, enters into an assumption agreement to assume the obligations of the Owner herein; and,
- (xii) That the Owner provide the City Solicitor with satisfactory evidence that any and all mortgagees of the property consent to the Rental Housing Protection Act (RHPA) application; and,
- (xiii) That the Owner pay all outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval; and,
- (b) That upon satisfaction of the above-noted conditions, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.
- 4. (a) That approval be given to Application CD-95-007, under the Rental Housing Protection Act, Meroc Developments (In Trust), owner, for conversion of 12 rental apartment units to condominium units for the property located at 97-101 Connaught Avenue South, subject to the following conditions:
 - (i) That the Owner offer, in writing, to the Tenants named in Appendix "H" herewith attached, the right to lease their current unit, noted in Appendix "H", for a period of not less than three years from the registration on title of the Rental Housing Protection Act (RHPA) Approval Agreement required below, at the rent rate set out in Appendix "H", upon the following minimum terms:

- (1) That the Offer must be made within 45 days of the date this resolution is approved by City Council and shall be open for acceptance by the Tenants for a period of at least 30 days; and,
 - (2) That leases entered into as a result of (1) above, be executed prior to the City's execution of the RHPA Approval Agreement; and,
 - (3) That the Tenants' rent shall not be increased during the duration of the lease but for increases permitted under the Residential Rent Regulation Act, as amended; and,
 - (4) That such lease shall commence on the date the Owner's Offer is accepted by signature of the Tenant; and,
 - (5) That the Tenants' may terminate the said lease at any time on 60 days written notice, without penalty; and,
- (ii) That the Owner grant to the Tenants named in Appendix "H" an Option to Purchase a Unit specified in Appendix "H", (together with appurtenant interests). Such Option shall allow each tenant at least three years from the registration on title of the RHPA Approval Agreement to exercise their Option to purchase a unit. Within forty-five (45) days of a Tenant's Notice that it is exercising the Option, the Owner and Tenant shall negotiate and enter into an Agreement of Purchase and Sale form, in a form acceptable to the Hamilton Real Estate Board, with the necessary amendments for the sale of a Unit by the Owner, which Agreement shall incorporate the conditions in Appendix "I", herewith attached; and,
- (iii) That the Tenant shall have 30 days from receipt of such Option to sign and return to the Owner a copy of the Option acknowledging that he is interested in having the Option in his/her favour and acknowledging that he/she realizes that a formal Notice in writing to the Owner signed by the Tenant shall be received by the Owner on or before the date for such Notice specified in the Option; and,
- (iv) That this RHPA approval shall cease and be at an end:
- (1) If the Owner has sold the land without entering and registering the RHPA Approval Agreement with the City; and,

- (2) In any event, within five years from the date of this approval resolution of Council, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton; and,
- (v) That the Owner shall enter into a RHPA Approval Agreement with the City satisfactory in form to the Director of Planning and Development and to the City Solicitor, incorporating the City's conditions of approval listed herein (and in Appendices "H", "I" and "J", attached herewith) and register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval; and,
- (vi) That in the event that the Owner proposes to sell all of the subject lands, he shall ensure that any prospective new land owner of the whole property, enters into an assumption agreement to assume the obligations of the Owner herein; and,
- (vii) That the Owner provide the City Solicitor and the Director of Planning and Development with satisfactory evidence that any and all mortgagees of the property consent to the Rental Housing Protection Act (RHPA) application; and,
- (viii) That the Owner pay all outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval; and,
- (b) That upon satisfaction of the above-noted conditions, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.
- 5. (a) That approval be given to application CDM-95-02 (Regional File 25CDM-95006), Benemar Construction, owner, to establish a draft plan of condominium "Benemar Condominium", located at the north-east corner of Vineberg Drive and Upper Wentworth Street and known municipally as 1809 Upper Wentworth Street, as shown on the attached map marked as Appendix "K", subject to the following conditions:
 - (i) That this approval apply to the plan prepared by J.D. Barnes Ltd. and certified by S.J. Balaban, O.L.S., dated 1995 March 23, showing a total of 33 residential townhouse units; and,
 - (ii) That the owner provide connections to the existing watermain on Vineberg Drive and Upper Wentworth Street in order to loop the private watermain within the development to the satisfaction of the City of Hamilton; and,

- (iii) That the Final Plan of Condominium be in strict conformity with the Site Plan approved on 1994 November 24, under application DA-93-33; and,
 - (iv) That the applicant satisfy all conditions of site plan approval to the satisfaction of the City of Hamilton, prior to registration of the Final Plan of Condominium; and,
 - (v) That the owner satisfy all conditions, financial or otherwise, of the City of Hamilton; and,
- (b) That the City Clerk be directed to advise the Regional Commissioner of Planning and Development of City Council's decision.
6. That the originally approved Schedule of Payment for International Village B.I.A.'s 1995 Operating Budget in the amount of \$46,376. be revised as follows:
- | | |
|---------------------|-----------|
| (a) 1995 January 01 | \$23,188. |
| (b) 1995 July 01 | \$23,188. |
7. (a) That the Community Improvement Plan, attached herewith and marked Appendix "L", for the Crown Point East/McAnulty Neighbourhoods be approved; and,
- (b) That the Community Improvement Plan be submitted to the Ministry of Municipal Affairs for approval; and,
- (c) That the Commissioner of Public Works and Traffic Department be authorized and directed to make application to the Province of Ontario under the Jobs Ontario Program in the amount of \$132,000.; and,
- (d) That should the application under Jobs Ontario prove unsuccessful, that the Commissioner of Public Works and Traffic Department be authorized to proceed with implementation of revitalization efforts utilizing the \$400,000. municipal allocation that is existing in Account Number CF 42000 429407001 (Crown Point East/McAnulty, Phase 1); and,
- (e) That the City Solicitor be authorized and directed to prepare the appropriate By-law.

8. (a) (i) That the budget, as outlined in Appendix "M" herewith attached, be approved for the mural component of the Barton Street Revitalization Program, and;
- (ii) That the City Treasurer be authorized and directed to forward \$16,000. (\$20,000. - 20% holdback) for the mural component to the Barton Street B.I.A. The outstanding balance of \$4,000. to be forwarded upon submission of a statement of account.
- (b) (i) That a Commercial Loan in the amount of twenty one thousand, and forty-four dollars (\$21,044.) to John Hilger for improvements to 470 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Loan Program. The interest rate is set at 4 1/2 percent, amortized over ten years, and;
- (ii) That a grant from the Barton Street Revitalization Fund in the amount of ten thousand, five hundred and twenty-two dollars (\$10,522.) be utilized to pay-down this Commercial Loan as per the terms of the Barton Street Revitalization Program.
- (c) (i) That a Commercial Loan in the amount of five thousand (\$5,000.) to Kenesky Sports & Cycle for exterior storefront improvement to 228 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Loan Program. The interest rate is set at 4 1/2 percent, amortized over 10 years; and,
- (ii) That a grant from the Barton Street Revitalization Fund in the amount of two thousand and five hundred dollars (\$2,500.) be utilized to pay-down this Commercial Loan as per the terms of the Barton Street Revitalization Program; and,
- (d) (i) That a Commercial Loan in the amount of twenty five thousand dollars (\$25,000.) to Kenesky Sports & Cycle Co. Ltd., for rehabilitation to 228 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Loan Program. The interest rate is set at 4 1/2 percent, amortized over 10 years, and;
- (ii) That a grant from the Barton Street Revitalization Fund in the amount of twelve thousand and five hundred dollars (\$12,500.) be utilized to pay-down this Commercial Loan as per the terms of the Barton Street Revitalization Program.

- (e) (i) That a Commercial Loan in the amount of twenty-five thousand dollars (\$25,000.) to Keith and Margaret Cody for rehabilitation to 293 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Loan Program. The interest rate is set at 4 1/2 percent, amortized over 10 years, and;
- (ii) That a grant from the Barton Street Revitalization Fund in the amount of twelve thousand and five hundred dollars (\$12,500.) be utilized to pay-down this Commercial Loan as per the terms of the Barton Street Revitalization Program, and;
- (f) (i) That a Commercial Loan in the amount of five thousand hundred dollars (\$5,000.) to Keith and Margaret Cody for exterior storefront improvements to 293 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Loan Program. The interest rate is set at 4 1/2 percent, amortized over as period less than 7 years, and;
- (ii) That a grant from the Barton Street Revitalization Fund in the amount of two thousand and five hundred dollars (\$2,500.) be utilized to pay-down this Commercial Loan as per the terms of the Barton Street Revitalization Program.
- (g) That the grants to business land owners referred to above be subject to the following conditions being fulfilled:
 - (i) Preparation and enactment of a By-law in a form satisfactory to the City Solicitor to amend By-law No. 88-12, being the By-law to adopt "The Barton General Community Improvement Plan" in order that the Plan may include the revised Barton Street Revitalization Program adopted by Council on 1995 March 28 (Section 2, 10th Report, Planning & Development Committee), including the following points:
 - (1) Grants to business land owners who have Commercial Loans from the City for a sum of up to 1/2 of the outstanding loan principal of a loan made for the purpose of paying for the whole or any part of the cost of rehabilitating such lands and buildings in conformity with the Community Improvement Plan; and,

- (2) Grants to business land owners who intend to rehabilitate their lands and buildings in conformity with the Community Improvement Plan to cover the cost of building permit fees, Committee of Adjustment applications, Property compliance Reports due the City; and,
 - (3) Grants to business land owners to cover all or a portion of the cost of decorative murals to be erected on their lands to rehabilitate these lands and buildings in conformity with the Community Improvement Plan.
- (ii) That the Building Department be authorized to hold the public meeting and take the other steps required by the Planning Act prior to the enactment of the said amending by-law to amend the Barton General Community Improvement Plan; and,
 - (iii) That the by-law shall be submitted to Council for enactment and the City Solicitor be authorized to submit the amending by-law for the approval of the Minister of Municipal Affairs; and,
 - (iv) That following Ministerial approval to the amending by-law, the City Solicitor also be authorized to apply to the Minister of Municipal Affairs pursuant to sec. 28(8) of the Community Improvement provisions of the Planning Act for approval to be granted to the City by the Minister to permit the City to make the grants (and offer the other assistance to the business land owners) provided for in the Barton General Community Improvement Plan, as amended, that would otherwise be bonuses prohibited by section 111(1) of the Municipal Act; and,
- (h) That the Building Commissioner and the City Solicitor be authorized to prepare a report to the Planning and Development Committee on the private legislation that would be required from the Province to enable the City to implement those provisions of the Barton Street Revitalization Programme which would provide grants and other financial benefits to business tenants in the Barton Street Community Improvement area.
9. That Section 14 of the Fourteenth Report of the Planning and Development Committee approved by City Council on 1983 June 28 which authorized the Planning and Development Committee to deal with demolition permit applications during the summer months of June, July and August be rescinded in order to ensure that all demolition permits receive Council approval prior to issuance.

10. That the required capital of \$120,000. for loans to repair retaining walls on Greencedar Drive and Firenze Street, be referred to the Committee of the Whole for reconsideration from the 1995 Capital Budget.
11.
 - (a) That the City of Hamilton retain an independent real estate appraisal of the Victoria Hall/Mackay Building (the Foster Building) located at 66 and 68 King Street East, in an amount not to exceed \$2,500.; and,
 - (b) That this expenditure be charged to Account No. CH 00120 - Acquisition of Historic Properties.
12. That the Building Commissioner be authorized to issue a demolition permit for 35 Dickson Street in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.
13. That a Commercial Loan in the amount of twenty five thousand dollars (\$25,000.) to Park Place Partnership for improvements to 35 King Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Loan Program. The interest rate is set at 4 1/2 per cent, amortized over ten (10) years.
14. That a Commercial Loan in the amount of thirty seven thousand, two hundred and thirty-six dollars (\$37,236.) to 914914 Ontario Inc., operating as Fred Gregory Florist, for improvements to 213, 215, 217 Ottawa Street North be approved subject to the fulfilment of the borrowing requirements of the Commercial Loan Program. The interest rate is set at 4 1/2 per cent, amortized over ten (10) years.
15.
 - (a) That the Building Department be authorized and directed to process an increase of \$2,590. in the loan to Keltie Lynn Law of 112 Aberdeen Avenue under the Community Heritage Trust Fund, from the previously approved amount of \$2,789. to \$5,379. which loan shall have an interest rate of 3 1/2% amortized for ten years with two 5 year terms, and;
 - (b) That the Building Department be authorized and directed to process an increase of \$410. in the Designated Property Grant to Keltie Lynn Law, of 112 Aberdeen Avenue from the previously approved \$2,590. to \$3,000.

16. (a) That the following prizes be awarded to the Mohawk College broadcasting students for their submissions in the Phase IV, Downtown Action Plan, Public Service Announcement (P.S.A.) competition. All of the P.S.A.'s contain messages about keeping Hamilton clean.
 - (i) First Prize: Richard Belletti;
 - (ii) Second Prize: Jane Hicks;
 - (iii) Third Prize: Sandra McCallum; and,
- (b) That funds be provided from Phase IV of the Downtown Action Plan for the first prize at \$700., second prize at \$500., and third prize at \$300., and a donation to Mohawk College Media Studies Department of \$1,500. for development of the videos and use of equipment.
17. (a) That the Purchasing Manager be authorized and directed to issue purchase orders to Crescan Landscape Ltd., P.O. Box 4056, Station D, Hamilton, on behalf of the Treasury and the Building Departments, based on prices Quotation C18-1-95 and revised prices as indicated in their letter dated 1995 May 17, to provide final lot grading and sodding as and when required during 1995 in various subdivisions, being the lowest of four quotations received in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and be financed through Lot Grading Deficiencies Subdivision Account No. PR53700090; and,
- b) That Section 9 of the Thirteenth Report of the Planning and Development Committee as approved by City Council on 1995 May 9, be rescinded.
18. That the total outstanding Commercial Loan for Agommen Ltd., c/o A. Ammendolia, M. Nusca, G. Piccini and F. Zanette, 283 - 287 King Street East, in the amount of twenty nine thousand, three hundred and sixty-nine dollars and sixty-eight cents (\$29,369.68) be placed on the tax rolls.
19. (a) For the information of the members of City Council, the Planning and Development Committee have appointed the following to serve on the Central Area Plan Implementation Committee for a term to expire 1997 November 30:
 - (i) Greg Fraleigh
 - (ii) Xiaoyin (Sherry) Wang
 - (iii) Alderman M. Caplan

- (b) For the information of the members of City Council, the Planning and Development Committee have appointed the following to serve on the Local Architectural Conservation Advisory Committee for a term to expire 1997 November 30:

- (i) Robert Brough
- (ii) Diane Dent
- (iii) Robert D. Hamilton
- (iv) J. Brian Henley
- (v) John Mokrycke
- (vi) Jane Rigby
- (vii) J. Jeffrey Steadman
- (viii) Reg Wheeler
- (ix) Alderman W. McCulloch
- (x) Alderman F. D'Amico

20. That leave be granted to introduce the following Bills:

- (a) C-43 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at the Rear of Municipal Nos. 1451, 1459, 1465, 1469 Upper James Street.
- (b) C-44 A By-law to Amend Zoning By-law No. 6593 Respecting Definitions of "Lodging House", "Hostel", "Hotel", "Residential Care Facility", "Short-Term Care Facility" and "Tourist Home".
- (c) C-45 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-laws Nos. 85-171, 85-230 and 89-115 Respecting Lands Located at Municipal Nos. 986-998 Upper Wentworth Street.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Susan K. Reeder
Acting Secretary**

1995 June 21



Legend



Site of the Application



TENANTS AND MONTHLY RENTAL CHARGES AS OF JUNE 5, 1995

<u>41-43 Albert Street</u>		Apt. 07	David Latendresse 41-43 Albert Street Apt. 07 Hamilton, Ontario L8M 2Y1 One-Bedroom/\$420.06
Apt. 01	Francisnene Merrifield 41-43 Albert Street Apt. 01 Hamilton, Ontario L8M 2Y1 One-Bedroom/\$457.51	Apt. 08	Daniel and Mary Black 41-43 Albert Street Apt. 08 Hamilton, Ontario L8M 2Y1 One-Bedroom/\$459.53
Apt. 02	Wayne and Dorothy Cowan 41-43 Albert Street Apt. 02 Hamilton, Ontario L8M 2Y1 One-Bedroom/\$420.06	Apt. 09	Ken Dawson and Corey Johnston 41-43 Albert Street Apt. 09 Hamilton, Ontario L8M 2Y1 One-Bedroom/\$515.21
Apt. 03	Carl Condon 41-43 Albert Street Apt. 03 Hamilton, Ontario L8M 2Y1 One-Bedroom/\$420.06	Apt. 10	Marie Jackson 41-43 Albert Street Apt. 10 Hamilton, Ontario L8M 2Y1 One-Bedroom/\$526.36
Apt. 04	Eric Roberts 41-43 Albert Street Apt. 04 Hamilton, Ontario L8M 2Y1 One-Bedroom/\$459.53	Apt. 11	Elaine Johnson 41-43 Albert Street Apt. 11 Hamilton, Ontario L8M 2Y1 One-Bedroom/\$549.53
Apt. 05	Richard Withers 41-43 Albert Street Apt. 05 Hamilton, Ontario L8M 2Y1 One-Bedroom/\$526.36	Apt. 12	Dosko Igniski and Leean Swayze 41-43 Albert Street Apt. 12 Hamilton, Ontario L8M 2Y1 One-Bedroom/\$420.06
Apt. 06	VACANT 41-43 Albert Street Apt. 06 Hamilton, Ontario L8M 2Y1 One-Bedroom/\$526.36		

The Agreement of Purchase and Sale shall provide,

- (a) that the sale shall be completed within One Hundred and Twenty (120) days of execution of the agreement, unless otherwise agreed by the Tenant and Owner; and,
- (b) that the purchase price for a Unit be the price agreed upon between the Owner and the Tenant which price shall not exceed the dollar value assigned to the Unit by an accredited appraiser of real property less,
 - i) \$4,000.00 or 5.0 percent of the appraised dollar value of the Unit, whichever is greater; and,
 - ii) 25.0 percent of the total rental payments made by the Tenant in the preceding 12-month period prior to date the Agreement of Purchase and Sale is executed between the Tenant and the Owner.

The aforementioned accredited appraiser of real property shall be retained at the expense of the owner and the appraisal of the unit shall be conducted within 21 days of the Tenant exercising their Option to purchase a unit.

The conditions of RHPA approval are subject to the following standard terms, which terms shall form part of the applicable document:

- (a) The following documents, namely the RHPA Approval Agreement, the leases and the Options to Purchase shall be prepared by the Owner and registered by the Owner at its expense, including payment of registration fees.
- (b) If the Tenant at any time vacates their rental unit, the Tenant's rights pursuant to lease and the Option to Purchase shall cease. The Tenant may not enter into an Agreement of Purchase and Sale unless the Tenant is at the time of its execution in possession of a rental unit.
- (c) The Tenant's rights under the RHPA Approval Agreement, the lease, and the Option to Purchase shall be personal to the named Tenant(s) only and not assignable by the Tenant(s) to anyone, unless approved by the owner, in the owners absolute discretion.
- (d) If the Director of Planning and Development receives a declaration from the Owner that a Tenant named in Appendix "A" has not, or does not want, to enter into the said lease or the said Option or both of them, or that the Tenant has vacated the rental unit, the Director of Planning and Development shall send by registered mail to the Tenant at the rental unit listed in Appendix "A", a Notice that the Tenant's rights to the lease or Option, as the case may be, shall cease within twenty-one days of the mailing of the Notice unless the Tenant is still in possession of the premises and has within the said twenty-one day period, collected such document from the Owner and returned to the Owner a copy of the document signed by the Tenant. The Owner shall sign and return the document to the Tenant in accordance with the other time limits of this approval.

TENANTS AND MONTHLY RENTAL CHARGES AS OF MAY 31, 1995**352-356 HUNTER STREET EAST & 122 EMERALD STREET SOUTH**

Apt. 01	(Vacant) 352 Hunter Street East Hamilton, Ontario L8N 1N8 Two-Bedroom/\$619.96	Apt. 07	Susan Klaus 352 Hunter Street East Hamilton, Ontario L8N 1N8 Two-Bedroom/\$619.96
Apt. 02	Tammy Godwaldt 352 Hunter Street East Hamilton, Ontario L8N 1N8 One-Bedroom/\$523.82	Apt. 08	Marilyn Herkimer 352 Hunter Street East Hamilton, Ontario L8N 1N8 One-Bedroom/\$571.90
Apt. 03	Brian Vanassche 352 Hunter Street East Hamilton, Ontario L8N 1N8 Two-Bedroom/\$619.96	Apt. 09	Vacant 356 Hunter Street East Hamilton, Ontario L8N 1N8 Two-Bedroom/\$619.96
Apt. 04	Thomas Dickey 352 Hunter Street East Hamilton, Ontario L8N 1N8 One-Bedroom/\$522.16	Apt. 10	Augustus Headworth 356 Hunter Street East Hamilton, Ontario L8N 1N8 One-Bedroom/\$523.82
Apt. 05	Vacant 352 Hunter Street East Hamilton, Ontario L8N 1N8 Two-Bedroom/\$495.00	Apt. 11	Lambert Clarke 356 Hunter Street East Hamilton, Ontario L8N 1N8 Two-Bedroom/\$641.51
Apt. 06	Vacant 352 Hunter Street East South Hamilton, Ontario L8N 1N8 One-Bedroom/\$523.82	Apt. 12	Cam Savoy 356 Hunter Street East Hamilton, Ontario L8N 1N8 One-Bedroom/\$523.82

Apt. 14	Vacant 356 Hunter Street East Hamilton, Ontario L8N 1N8 Two-Bedroom/\$619.96	Apt. 22	Vacant 122 Emerald Street South Hamilton, Ontario L8N 2V5 One-Bedroom/\$571.90
Apt. 15	Albertien Jankauskas 356 Hunter Street East Hamilton, Ontario L8N 1N8 Two-Bedroom/\$679.70	Apt. 23	Evelyn Filder 122 Emerald Street South Hamilton, Ontario L8N 2V5 Two-Bedroom/\$626.61
Apt. 16	Christopher Heldt 122 Emerald Street South Hamilton, Ontario L8N 2V5 One-Bedroom/\$571.90		
Apt. 17	Vacant 122 Emerald Street South Hamilton, Ontario L8N 2V5 Two-Bedroom/\$619.96		
Apt. 18	Robert Brignull 122 Emerald Street South Hamilton, Ontario L8N 2V5 One-Bedroom/\$571.90		
Apt. 19	John Roach and Elizabeth Elshoff 122 Emerald Street South Hamilton, Ontario L8N 2V5 Two-Bedroom/\$619.90		
Apt. 20	Robert Nicholson 122 Emerald Street South Hamilton, Ontario L8N 2V5 One-Bedroom/\$571.90		
Apt. 21	Donald Moran and Linda Archer 122 Emerald Street South Hamilton, Ontario L8N 2V5 Two-Bedroom/\$619.96		

The Agreement of Purchase and Sale shall provide,

- (a) that the sale shall be completed within One Hundred and Twenty (120) days of execution of the agreement, unless otherwise agreed by the Tenant and Owner; and,
- (b) that the purchase price for a Unit be the price agreed upon between the Owner and the Tenant which price shall not exceed the dollar value assigned to the Unit by an accredited appraiser of real property less,
 - i) \$4,000.00 or 5.0 percent of the appraised dollar value of the Unit, whichever is greater; and,
 - ii) 25.0 percent of the total rental payments made by the Tenant in the preceding 12-month period prior to date the Agreement of Purchase and Sale is executed between the Tenant and the Owner.

The aforementioned accredited appraiser of real property shall be retained at the expense of the owner and the appraisal of the unit shall be conducted within 21 days of the Tenant exercising their Option to purchase a unit.

The conditions of RHPA approval are subject to the following standard terms, which terms shall form part of the applicable document:

- (a) The following documents, namely the RHPA Approval Agreement, the leases and the Options to Purchase shall be prepared by the Owner and registered by the Owner at its expense, including payment of registration fees.
- (b) If the Tenant at any time vacates their rental unit, the Tenant's rights pursuant to lease and the Option to Purchase shall cease. The Tenant may not enter into an Agreement of Purchase and Sale unless the Tenant is at the time of its execution in possession of a rental unit.
- (c) The Tenant's rights under the RHPA Approval Agreement, the lease, and the Option to Purchase shall be personal to the named Tenant(s) only and not assignable by the Tenant(s) to anyone, unless approved by the owner, in the owners absolute discretion.
- (d) If the Director of Planning and Development receives a declaration from the Owner that a Tenant named in Appendix "A" has not, or does not want, to enter into the said lease or the said Option or both of them, or that the Tenant has vacated the rental unit, the Director of Planning and Development shall send by registered mail to the Tenant at the rental unit listed in Appendix "A", a Notice that the Tenant's rights to the lease or Option, as the case may be, shall cease within twenty-one days of the mailing of the Notice unless the Tenant is still in possession of the premises and has within the said twenty-one day period, collected such document from the Owner and returned to the Owner a copy of the document signed by the Tenant. The Owner shall sign and return the document to the Tenant in accordance with the other time limits of this approval.

TENANTS AND MONTHLY RENTAL CHARGES AS OF JUNE 21, 1995

<u>97 and 101 Connaught Avenue South</u>		Apt. 07	Linda Vickers 97-101 Connaught Ave. S. Apt. 07 Hamilton, Ontario L8M 3C4 One-Bedroom/\$331.88
Apt. 01	Jeff Buch and Teresa Bell 97-101 Connaught Ave. S. Apt. 01 Hamilton, Ontario L8M 3C4 One-Bedroom/\$331.88	Apt. 08	Andre Dallaire 97-101 Connaught Ave. S. Apt. 08 Hamilton, Ontario L8M 3C4 One-Bedroom/\$382.10
Apt. 02	Bernie Browne 97-101 Connaught Ave. S. Apt. 02 Hamilton, Ontario L8M 3C4 One-Bedroom/\$328.90	Apt. 09	Beverly Milligan 97-101 Connaught Ave. S. Apt. 09 Hamilton, Ontario L8M 3C4 One-Bedroom/\$331.88
Apt. 03	Marco Digiacinto 97-101 Connaught Ave. S. Apt. 03 Hamilton, Ontario L8M 3C4 One-Bedroom/\$358.79	Apt. 10	Pat Ireland 97-101 Connaught Ave. S. Apt. 10 Hamilton, Ontario L8M 3C4 One-Bedroom/\$376.73
Apt. 04	Frank Mike 97-101 Connaught Ave. S. Apt. 04 Hamilton, Ontario L8M 3C4 One-Bedroom/\$358.79	Apt. 11	Don Joseph 97-101 Connaught Ave. S. Apt. 11 Hamilton, Ontario L8M 3C4 One-Bedroom/\$393.18
Apt. 05	Willy Macneil 97-101 Connaught Ave. S. Apt. 05 Hamilton, Ontario L8M 3C4 One-Bedroom/\$358.79	Apt. 12	Sandy Schuett 97-101 Connaught Ave. S. Apt. 12 Hamilton, Ontario L8M 3C4 One-Bedroom/\$393.18
Apt. 06	Linda Default 97-101 Connaught Ave. S. Apt. 06 Hamilton, Ontario L8M 3C4 One-Bedroom/\$385.72		

The Agreement of Purchase and Sale shall provide,

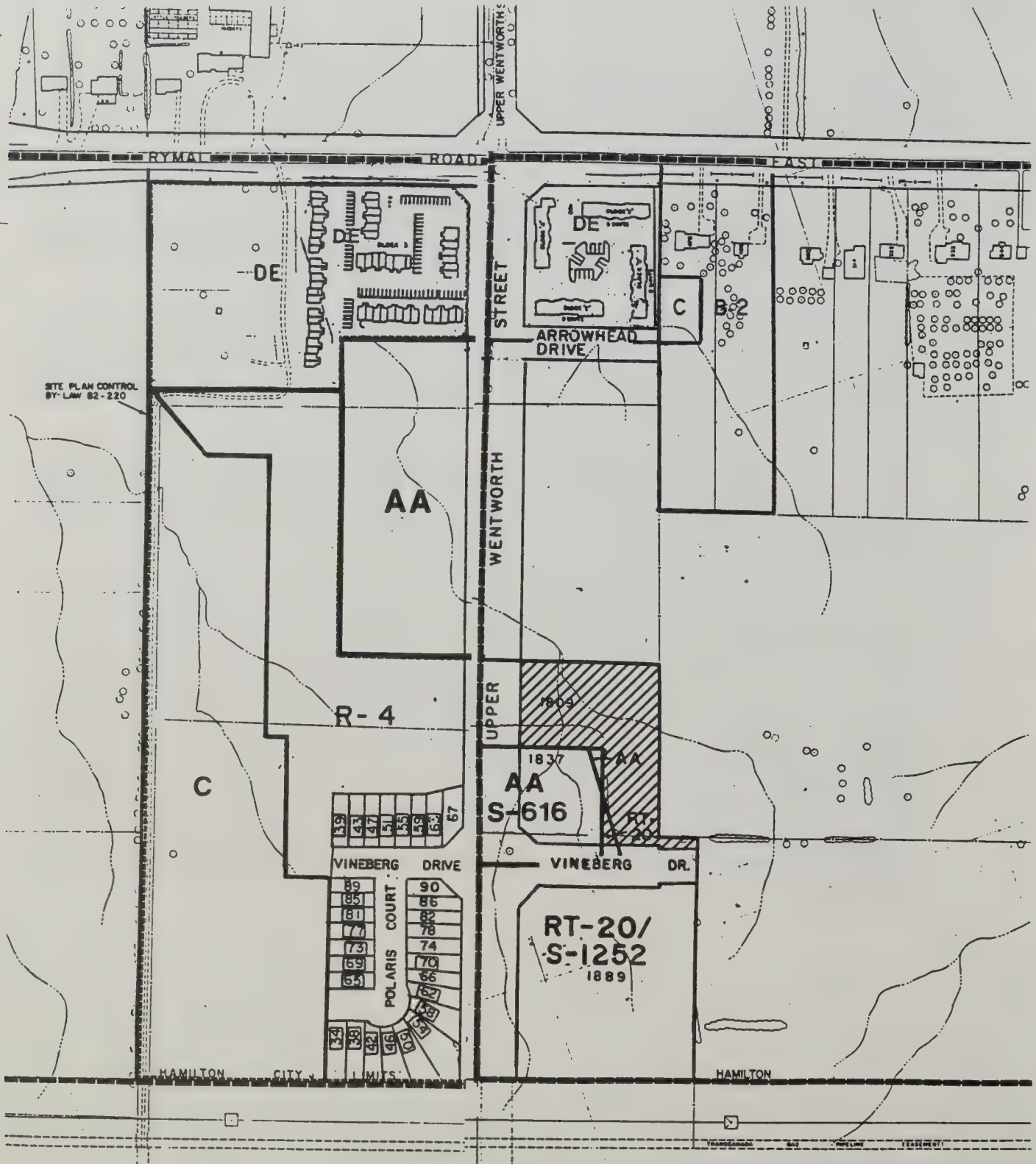
- (a) that the sale shall be completed within One Hundred and Twenty (120) days of execution of the agreement, unless otherwise agreed by the Tenant and Owner; and,
- (b) that the purchase price for a Unit be the price agreed upon between the Owner and the Tenant which price shall not exceed the dollar value assigned to the Unit by an accredited appraiser of real property less,
 - i) \$4,000.00 or 5.0 percent of the appraised dollar value of the Unit, whichever is greater; and,
 - ii) 25.0 percent of the total rental payments made by the Tenant in the preceding 12-month period prior to date the Agreement of Purchase and Sale is executed between the Tenant and the Owner.

The aforementioned accredited appraiser of real property shall be retained at the expense of the owner and the appraisal of the unit shall be conducted within 21 days of the Tenant exercising their Option to purchase a unit.

The conditions of RHPA approval are subject to the following standard terms, which terms shall form part of the applicable document:

- (a) The following documents, namely the RHPA Approval Agreement, the leases and the Options to Purchase shall be prepared by the Owner and registered by the Owner at its expense, including payment of registration fees.
- (b) If the Tenant at any time vacates their rental unit, the Tenant's rights pursuant to lease and the Option to Purchase shall cease. The Tenant may not enter into an Agreement of Purchase and Sale unless the Tenant is at the time of its execution in possession of a rental unit.
- (c) The Tenant's rights under the RHPA Approval Agreement, the lease, and the Option to Purchase shall be personal to the named Tenant(s) only and not assignable by the Tenant(s) to anyone, unless approved by the owner, in the owners absolute discretion.
- (d) If the Director of Planning and Development receives a declaration from the Owner that a Tenant named in Appendix "A" has not, or does not want, to enter into the said lease or the said Option or both of them, or that the Tenant has vacated the rental unit, the Director of Planning and Development shall send by registered mail to the Tenant at the rental unit listed in Appendix "A", a Notice that the Tenant's rights to the lease or Option, as the case may be, shall cease within twenty-one days of the mailing of the Notice unless the Tenant is still in possession of the premises and has within the said twenty-one day period, collected such document from the Owner and returned to the Owner a copy of the document signed by the Tenant. The Owner shall sign and return the document to the Tenant in accordance with the other time limits of this approval.

1995 June 27



Legend



Site of the Application

CDM-95-02

1995 June 27

Appendix "L" as referred to in
Section 7 of the Fifteenth Report
of the Planning and Development
Committee for 1995

CROWN POINT EAST/MCANULTY
COMMUNITY IMPROVEMENT PLAN

DEPARTMENT OF PUBLIC WORKS/PARKS DIVISION

1995 JUNE

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CROWN POINT EAST/MCANULTY COMMUNITY IMPROVEMENT PLAN

Introduction to the Community Improvement Plan

Hamilton City Council approved an allocation of \$400,000. in the 1994 Capital Budget for improvements to the Crown Point East/McAnulty neighbourhoods - Phase I. An additional \$400,000. for Phase II is planned in the Capital Budget for implementation in 1998.

The Official Plan outlines policies dealing with community improvement. As a result of these policies the City is required to prepare Neighbourhood Plans and Community Improvement Plans for the defined Community Improvement Project Area. It is intended that community improvement is achieved by means of the conservation, rehabilitation or redevelopment of areas characterized by obsolete buildings and/or conflicting land uses and/or inadequate levels of engineering and community services.

The Neighbourhood Plans for these neighbourhoods, adopted by City Council in 1979, identify actions to be undertaken as part of the community improvement process. Proposals for the community improvement of these neighbourhoods were placed in the City's 10-year Capital Budget. As the capital budget funding is now available, staff are reviewing the priorities identified in the 1979 Neighbourhood Plan. Based on the feedback received from the communities in the past few months, it appears that the priorities identified in the Neighbourhood Plan are consistent to those prioritized by the existing neighbourhood residents.

In order to receive as much feedback as possible from the entire community, the public participation process has been broadened in order to reach as many groups as possible. Open Houses were held to advise the citizens of the allocations, provide information on the existing hard and soft services within their neighbourhoods and, to advise of the improvement projects that were identified in the 1979 Neighbourhood Plans prepared by the Planning Department in the late 1970's, early 1980's.

This Community Improvement Plan implements the City of Hamilton's Official Plan (Sub-Section D-10 - Community Involvement, attached as Schedule 'F'), the Property Standards By-law No. 74-74 and the Crown Point East/McAnulty Neighbourhood Plans.

Neighbourhood Profiles

The Crown Point East and McAnulty Neighbourhoods comprise approximately 253 acres in Hamilton's East End with a total population of approximately 6,320 persons (1991 Population Statistics). These adjacent neighbourhoods are bounded by Dofasco to the north, Main Street East to the south, Kenilworth Avenue to the east and Ottawa Street to the west.

**Crown Point East/McAnulty
Community Improvement Plan
continued.....**

Crown Point East and McAnulty Neighbourhoods contain a wide variety of land uses (1991 Land Use Characteristics) including residential (56%), commercial (17%), industrial (15%), open space (2%), institutional (6%) and other, such as transportation, communication, utilities and parking (5%).

The two neighbourhoods that make up the Community Improvement Project Area are divided whereby approximately 70% comprises of Crown Point East and 30% of McAnulty. It should be noted that all of McAnulty Neighbourhood's residential areas are within the Project Area.

Commercial uses are limited mainly to the major arterial roads such as Ottawa Street, Barton Street, Main Street, Cannon Street and Kenilworth Avenue.

Industrial uses are limited mainly to the northerly area of the Crown Point East/McAnulty Neighbourhood. This can be attributed partly to the Canadian National Railway which divides the two neighbourhoods, and the Dofasco plant which fronts the northern boundary for McAnulty.

There are three schools in the Crown Point East/McAnulty area. Lloyd George and Queen Mary Schools are under the jurisdiction of the Hamilton Board of Education Public School System. Holy Family School is the responsibility of the Hamilton-Wentworth Roman Catholic Separate School Board. Just outside of the Crown Point East boundaries, on the south side of Main Street East, resides the Delta High School. It is important to note that the population of the school aged children is high in proportion to the amount of existing parkland in this neighbourhood.

Land use in Crown Point East/McAnulty is regulated by zoning by-laws which are controlled by the City of Hamilton's Official Plan, Crown Point East and McAnulty approved Neighbourhood Plans and related policies. The Neighbourhood Plan for McAnulty was adopted by City Council in 1979, the Neighbourhood Plan for Crown Point East in 1980. They identify which land uses are considered appropriate for future development in different areas throughout the neighbourhoods in conformance with the City of Hamilton's Official Plan. Land acquisition for the McAnulty Priority-One-Park (known as St. Christopher's Park) which was identified in the 1979 Neighbourhood Plan, has been completed and is ready for redevelopment. The Crown Point East Priority-One-Park was proposed to extend to the rear of Queen Mary Public School south of Roxborough Avenue. Ten (10) houses behind the school (situated between Province and Graham Avenue North) were targeted for purchase by the City in order to provide a future park. To date, five of the ten properties have been purchased. The funding allocation

**Crown Point East/McAnulty
Community Improvement Plan
continued.....**

for Crown Point East (\$200,000.) would not allow completion of the property acquisition for this park. Other enhancements for open space and parks will be considered.

Areas for both active and passive recreation such as baseball, football, tennis, skating, picnicing, relaxing and sunbathing would greatly improve the quality of life in the Neighbourhood. As very little parkland is available in the Crown Point East Neighbourhood for use by its residents and workers, an emphasis will be placed on improvements to passive parks within this area. Due to the fact that McAnulty already has possession of a large park, emphasis be placed on a more active nature of redevelopment. These goals are consistent with the issues identified through the Open Houses and questionnaires.

COMMUNITY IMPROVEMENT PLAN

The Community Improvement Plan will be presented in the following format:

Goals - what the neighbourhood would like to ultimately obtain

Objectives - the steps to be taken to achieve these goals

Actions - what action needs to be taken to address the objectives

GOAL ONE - Develop High Quality Recreational Services

Objective 1.1

Improvements to existing parks and facilities

Action 1.1.1

Rehabilitate St. Christopher's Park and develop as a community park.

Action 1.1.2

Rehabilitate Pipeline Park including improved lighting.

Action 1.1.3

Rehabilitate open space on Park Row North to facilitate passive park area.

Action 1.1.4

Incorporate accessible playstructure, complete with features for young children, into existing park/open space or neighbourhood school yard for use by the community.

Action 1.1.5

Neighbourhood Associations to request input from Culture and Recreation Department and Y.W.C.A. on programming needs for neighbourhoods and suggestions for alternate locations within closer proximity.

Action 1.1.6

Encourage Neighbourhood Association involvement in programming for new Kiwanis Boys & Girls Club Community Centre targeted to commence in 2002.

Action 1.1.7

Neighbourhood Association to work with Dofasco and Public Schools to develop play structures within schools with a view to creating a financial partnership.

GOAL TWO - Create a Clean, Non-Pollutant Environment Within The Neighbourhoods

Objective 2.1

Address the problem of intense air pollution in the neighbourhood.

Action 2.1.1

Incorporate greenery (trees, climbing vines) into frontages of existing industrial properties.

Action 2.1.2

Introduce trees into the City Boulevards and request permission from individual property owner to plant trees on their properties.

Action 2.1.3

Work with Homeside Neighbourhood and the Ministry of Environment to combat the air pollution problem.

GOAL THREE - Improve Overall Health and Well-being of the Residents of the Community

Objective 3.1

Encourage establishment of an easily accessible Medical Clinic for use by the neighbourhood.

Action 3.1.1

Neighbourhood Association to keep in ongoing contact with the Physician Associations to ensure future physicians are made aware of the need of a facility in these neighbourhoods.

Objective 3.2

Improve accessibility to existing or future social service agencies in the area through providing the residents with more information.

Action 3.2.1

Encourage social service agencies to work with newly developed community services/centres.

Objective 3.3

Improve general information and referral services in the area.

Action 3.3.1

Neighbourhood Association request that local agencies make presentation of services that are provided.

Action 3.3.2

Local agencies be requested to send information material to area community centres and neighbourhood associations.

Action 3.3.2

Neighbourhood Association distribute newsletters to the community incorporating all pertinent information affecting the neighbourhood.

Objective 3.4

Improve the environmental quality of the neighbourhood.

Action 3.4.1

Neighbourhood Association identify litter problem areas and review same with the Department of Public Works and C.N. Railway.

Action 3.4.2

Work with Keep Hamilton Clean Committee to review problems in the neighbourhoods.

GOAL FOUR - Increase Public Safety

Objective 4.1

Reduce crime in the neighbourhood

Action 4.1.1

Neighbourhood Associations to work with the local authorities in identifying concerns.

Action 4.1.2

Police to be invited to make presentation to the Neighbourhood Association about various programmes (i.e. Crime Stoppers, Business Watch, etc.).

Action 4.1.3

Create a Neighbourhood Watch Committee.

Action 4.1.4

Police be invited to make presentation to area schools to advise children on safety measures, more than once a year, to reinforce negative affects of juvenile delinquency.

Objective 4.2

Investigate the lighting conditions in the neighbourhood

Action 4.2.1

Increase the lighting in Pipeline Park

Action 4.2.2

Identify areas of concern and request lighting level readings from Public Works Department.

Objective 4.3

Improve on-street parking.

Action 4.3.1

Neighbourhood Association to identify problem areas and review same with the Traffic Department.

GOAL FIVE - Create and Improve Upon Ever-changing Educational Needs

Objective 5.1

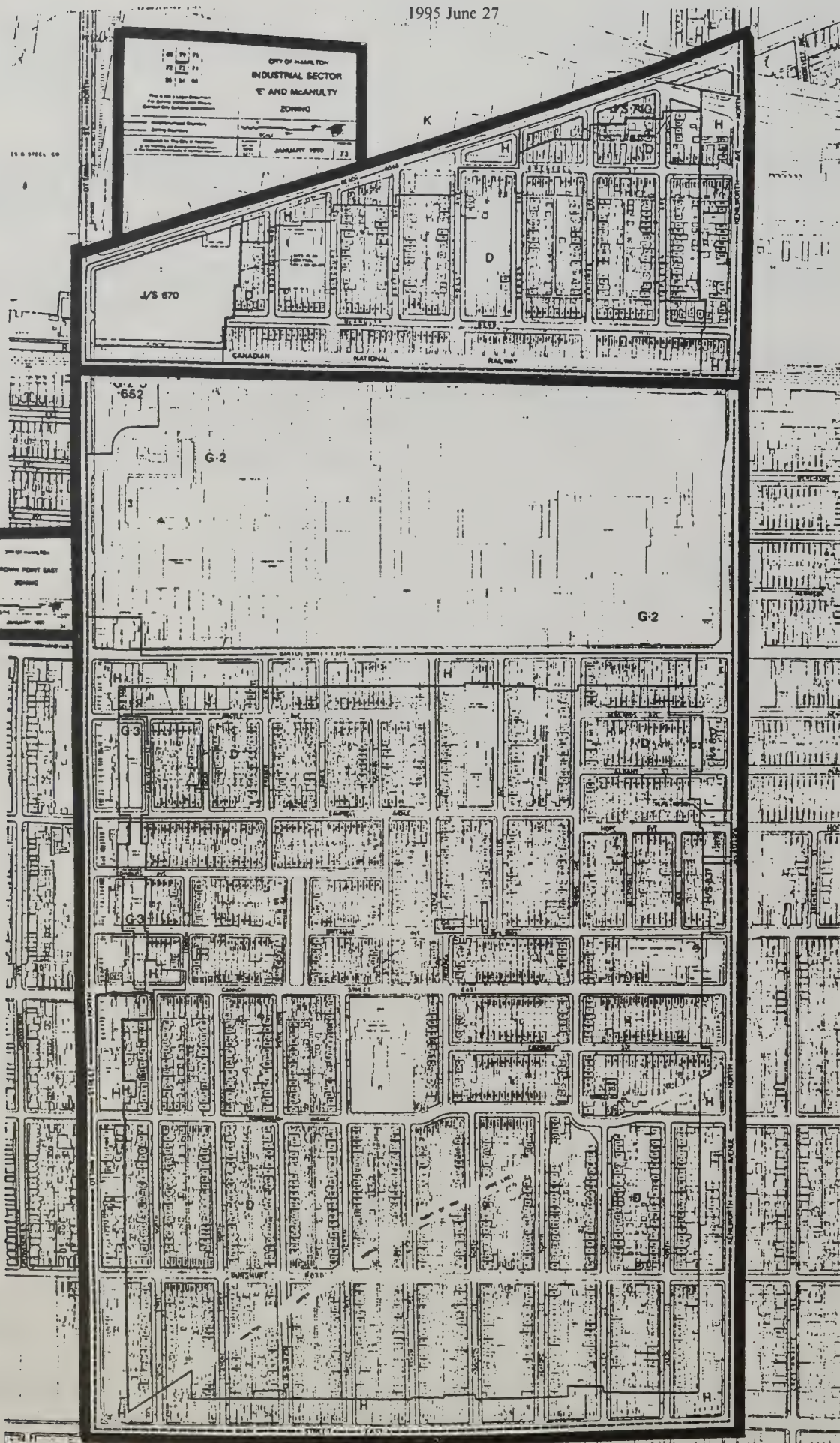
Neighbourhood Association to investigate possibility of Adult Education/Retraining Programmes at a location within their neighbourhood.

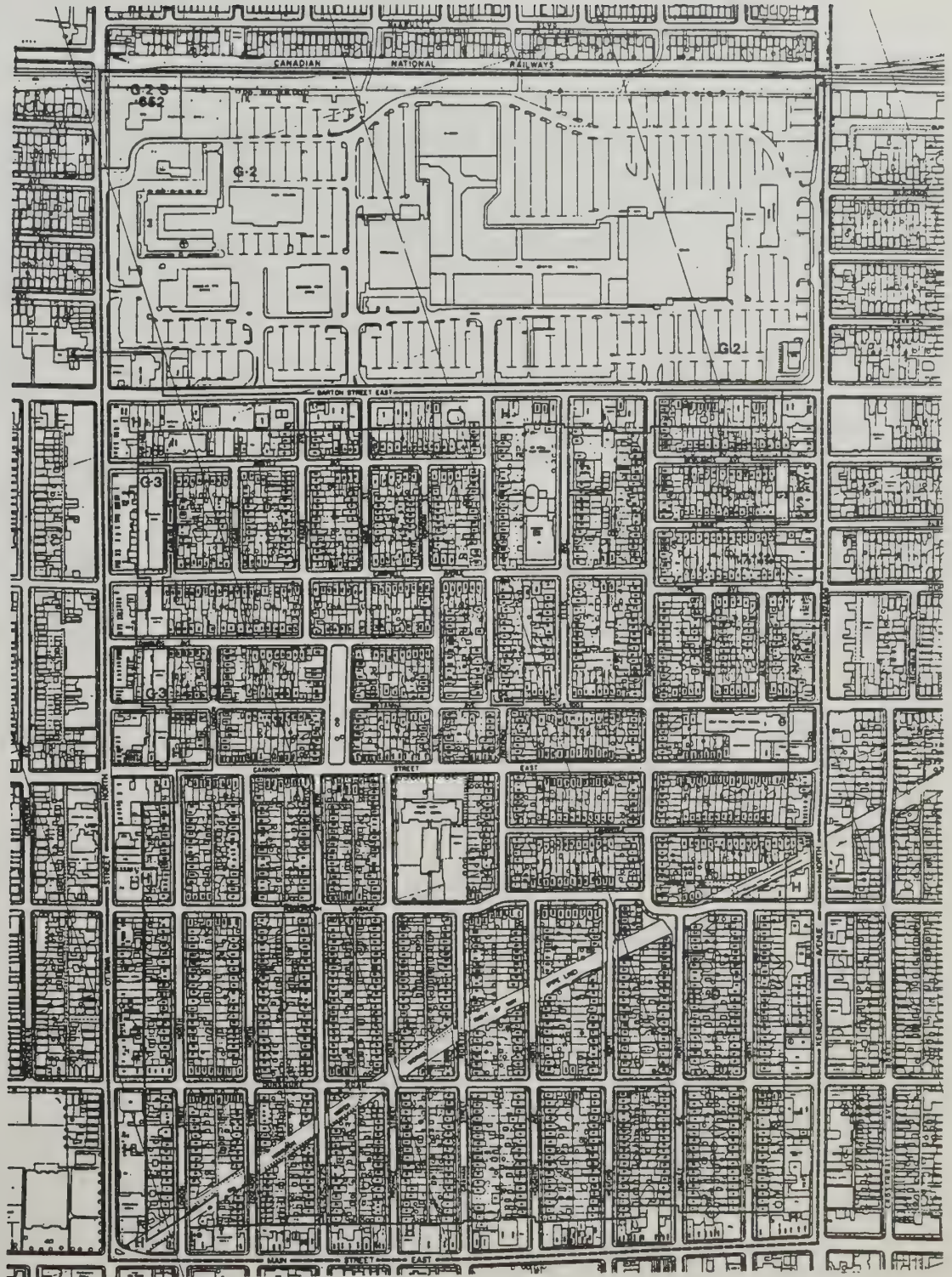
- | | |
|----------------------------|--|
| <u>Action 5.1.1</u> | Contact Public School Board and Mohawk College to determine feasibility of programmes within neighbourhood school. |
| <u>Action 5.1.2</u> | Request information from Mohawk College on programmes already offered in the vicinity of McAnulty neighbourhood. |
| <u>Action 5.1.3</u> | Utilize School and Neighbourhood Association to inform residents of existing programmes available at these alternate Mohawk/College locations and funding assistance (through O.S.A.P.). |

Conclusion

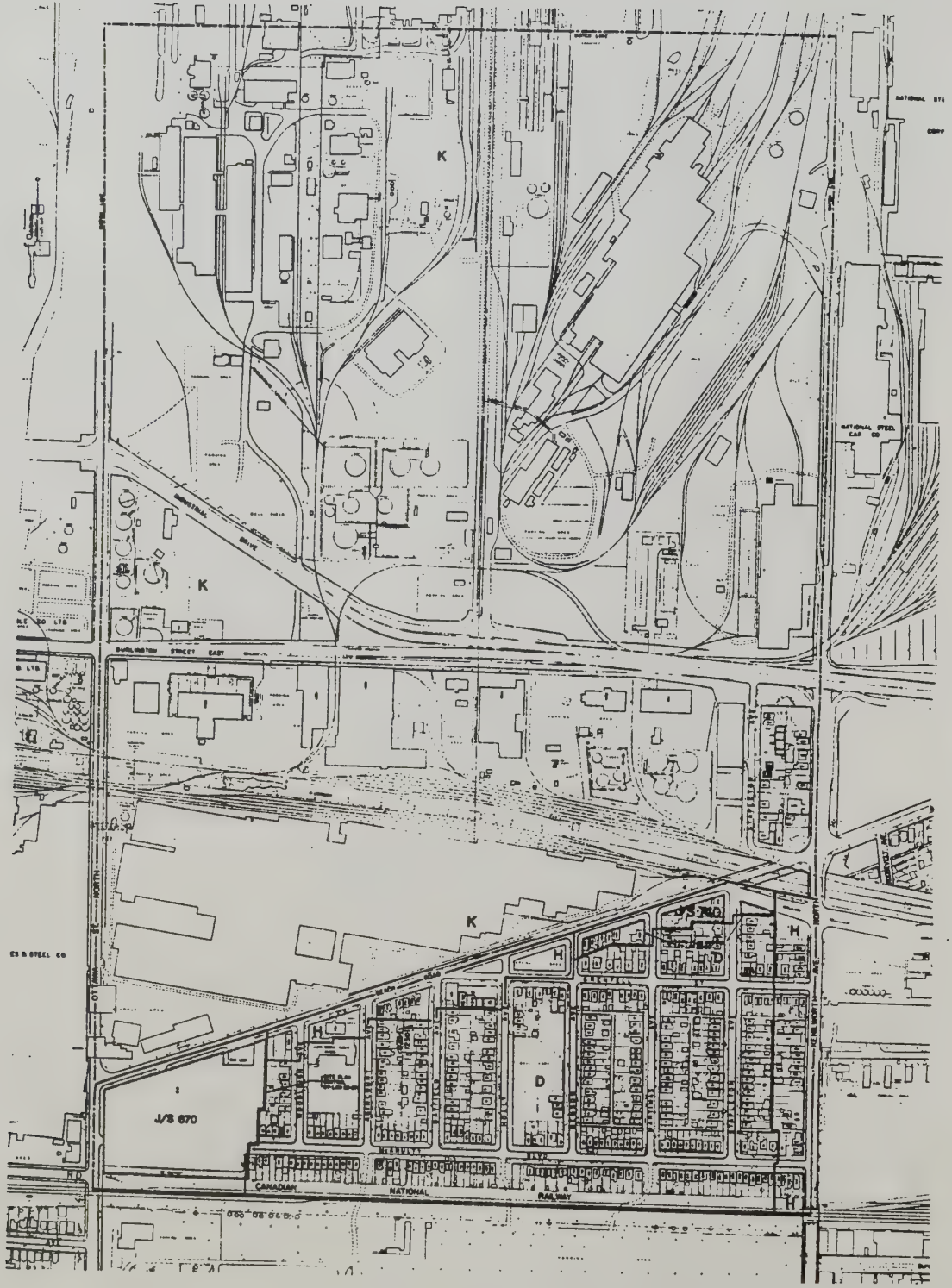
The north-east communities in the City of Hamilton experienced tremendous industrial growth in the 1940's, 1950's and 1960's. These neighbourhoods grew at that time to provide housing for the employees who worked at the steel mills. The neighbourhoods now provide "affordable" housing for Hamilton's citizens in accordance with provincial policy (Land Use Planning for Housing; Provincial Policy statement of Bill 163).

With the use of this Capital Budget allocation, we hope to improve the excellence of life in these areas by providing some much needed improvements and services.





<table border="1"> <tr> <td>72</td> <td>73</td> <td>74</td> </tr> <tr> <td>36</td> <td>34</td> <td>86</td> </tr> <tr> <td>37</td> <td>38</td> <td>9</td> </tr> </table> This is not a Legal Document For Zoning Verification Please Contact City Building Department.	72	73	74	36	34	86	37	38	9	CITY OF HAMILTON CROWN POINT EAST ZONING
72	73	74								
36	34	86								
37	38	9								
----- Neighbourhood Boundary ----- Zoning Boundary. Prepared for The City of Hamilton by the Planning and Development Department © The Municipal Corporation of Hamilton 1995	0 100m SCALE 1:2000 6510 34									



<table border="1"> <tr> <td>80</td> <td>79</td> <td>78</td> </tr> <tr> <td>72</td> <td>73</td> <td>74</td> </tr> <tr> <td>36</td> <td>34</td> <td>86</td> </tr> </table>	80	79	78	72	73	74	36	34	86	CITY OF HAMILTON INDUSTRIAL SECTOR 'E' AND McANULTY ZONING
80	79	78								
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This is not a Legal Document For Zoning Verification Please Contact City Building Department.	Neighbourhood Boundary Zoning Boundary 0 50m 100m SCALE									
Prepared for The City of Hamilton by the Planning and Development Department	Planned DATE: 0205 8211 73									

Subsection D.10 - Community Improvement

It is the general intent of the Plan to promote the ongoing maintenance of the established areas of residences and work in the City through COMMUNITY IMPROVEMENT. Accordingly, it is intended that COMMUNITY IMPROVEMENT be achieved by means of the conservation, rehabilitation or redevelopment of areas characterized by obsolete buildings, and/or conflicting land uses and/or inadequate levels of Engineering and Community Services.

It is thus necessary to provide the framework to co-ordinate public and individual initiatives to effectively utilize the funding programs available from senior levels of government for COMMUNITY IMPROVEMENT. To this end, it is further intended that COMMUNITY IMPROVEMENT Project Areas, be identified and appropriate strategies for their revitalization be detailed through COMMUNITY IMPROVEMENT Plans.

- 10.1 It is the intent of Council that the COMMUNITY IMPROVEMENT AREAS as shown on Schedule "H" may be designated, in whole or part, by by-law, as COMMUNITY IMPROVEMENTS Project Areas, for which detailed COMMUNITY IMPROVEMENT Plans will be prepared. (O.P.A. No. 15)
- 10.2 Council will utilize the following criteria to identify and delineate COMMUNITY IMPROVEMENT Project Areas:
- i) Older, predominantly Residential areas, which are potentially stable and have some of the following:
 - a) a significant portion of the housing stock in need of rehabilitation;
 - b) inadequate Engineering Services such as: sewers and watermains; roads and streets; curbs and sidewalks; and street lighting and utilities;
 - c) inadequate Community Services such as public indoor/outdoor recreational facilities; public open space; and public social facilities;
 - d) encroachment of non-residential uses; and,
 - e) inadequate parking facilities.

- ii) Older, predominantly Commercial areas, which are potentially stable and have some of the following:
 - a) a significant portion of the building stock in need of rehabilitation;
 - b) inadequate Engineering Services such as: roads, sewers and watermains, street lighting;
 - c) poor overall visual amenity of the area;
 - d) existing or potential for a Business Improvement Area designation; and,
 - e) inadequate parking facilities.
- iii) Older, predominantly Industrial areas, which are potentially stable and have some of the following:
 - a) inadequate Engineering Services;
 - b) inadequate road access and traffic circulation;
 - c) shortage of land to accommodate building expansion and/or parking and loading facilities;
 - d) encroachment of non-industrial uses; and,
 - e) building and/or property deterioration. (O.P.A. No. 15)

- 10.3 Council will determine the sequences in which designated COMMUNITY IMPROVEMENT Project Areas will have individual COMMUNITY IMPROVEMENT Plans prepared. In this manner, limited public funding assistance will be directed to those Areas with critical deficiencies. (O.P.A. No. 15)
- 10.4 The COMMUNITY IMPROVEMENT Plan will function to co-ordinate individual initiatives to improve properties with municipal actions to improve Engineering and Community Services. Accordingly, COMMUNITY IMPROVEMENT Plans will define which of the following measures amongst others will apply in the affected COMMUNITY IMPROVEMENT Project Areas:

- i) Use of appropriate funding programs;
- ii) Acquisition of land where necessary in keeping with Subsection D.5 of this Plan;
- iii) Enforcement of a property standards by-law in keeping with Subsection C.5 of this Plan;
- iv) Consideration of more flexible zoning including bonus zoning provisions, where it will support the COMMUNITY IMPROVEMENT objectives;
- v) Encouragement of infill and rehabilitation where feasible;
- vi) Promotion of historical preservation through the appropriate Provincial and Federal legislation in keeping with Subsection C.6 of this Plan; and,
- vii) Promotion of the viability of Commercial areas through such means as the establishment of Business Improvement Areas. (O.P.A. No. 15)

- 10.5 In the preparation of a COMMUNITY IMPROVEMENT Plan, Council will solicit the input of affected residents, property owners and other interested groups in keeping with the Notice and Public Participation Procedure, as set out in Subsection D.9 of this Plan. COMMUNITY IMPROVEMENT Plans and amendments thereto will be adopted by Council. (O.P.A. No. 15)
- 10.6 When Council is satisfied that the COMMUNITY IMPROVEMENT Plan has been carried out, Council may, by by-law, dissolve the COMMUNITY IMPROVEMENT Project Area. (O.P.A. No. 15)

BARTON STREET - A VISUAL ARTS PROGRAMME

Prepared by the Department of Culture and Recreation
Public Art Programme

I HISTORY

From the research recently prepared by Julie Fitzgerald for the Social Planning and Research Council, a picture of the Barton Street area in the 1800's (including the Wellington to Wentworth Streets section) has emerged. On farmland originally owned by United Empire Loyalist Robert Land, immigrants from Scotland, Ireland, England and the United States established a neighbourhood. The ethnic make-up of the area did not change over many decades.

In the 1880's and '90's there were many itinerant peddlars, skilled craftsmen (such as coopers, blacksmiths, shoemakers, bakers), lumber and other supplies merchants and labourers. Widows were numerous. The land east of Wentworth was either farmed or undeveloped.

Although industries were being located at the Bay, most traffic movement was east-west to downtown.

In the pecking order of working class neighbourhoods, Landsdale was at the top. Its residents had significant skills and trades and therefore earned four times as much as unskilled labourers. This situation persisted into the 1920's and '30's. For example, in the '30's there were twenty barbers/hairdressers in the neighbourhood. Twelve were on Barton Street East itself at numbers 270, 323, 407, 292, 314, 335, 376, 388, 445 (barbers); 303, 322, 355 (beauty salons). Another thriving enterprise was the dairy business.

II INTRODUCTION

It is important to recognize and build on the strengths, in this case, of an eight block stretch from Wellington (North) to Wentworth Streets (North). Glimpses of Barton Street's origins are still found in the wide variety of shops and services offered today. Within eight blocks we have beauty salons, flower shops, health services, grocers, a bicycle shop, used furniture, recycled clothing, used books, antiques restoration, paint and wallpaper goods, a balloon store, an occult shop, neighbourhood information centre, auto garage, blacksmith's, a watchmaker's shop, banquet centre, and a scattering of restaurants.

The older architecture is either two or three stories - a comfortable, human scale - with retail space on ground floors and residential units above. These buildings generally appear to be solidly constructed with uncomplicated exterior ornamentation, usually decorative mouldings around windows on the upper stories.

Street blocks are intersected at frequent intervals by residential roads and back laneways. Business signage is not obtrusive but it is often dilapidated or ineffective.

On the negative side, Barton Street currently holds a number of properties owned by absentee landlords. Buildings are deteriorating and neglected which creates an atmosphere of degeneration throughout the area. The street appears to function more as a vehicle conduit than an intimate lifeline of its immediate neighbourhood.

Redevelopment goals are focused on neighbourhood economic development through:

- a) facade and interior improvements to satisfy building code requirements and maintenance needs;
- b) streetscaping to improve safety, access for the disabled and the regulation of traffic flow;
- c) events programming and marketing initiatives.

The Barton Street Business Improvement Area Association has decided to focus on re-creations of 1920's and '30's cultural influences (social and artistic).

III MURAL PROGRAMME

Mural Programme Guidelines

1. Co-ordination:
 - Through the Barton Street BIA, a project co-ordinator has been hired to work out of the office at 405 Barton Street East.
 - A monitoring function will be provided by the Barton St. Revitalization Committee.
 - Since other streetscaping improvements will be addressed by the Public Works Department, more benefit will be derived from a co-ordinated design approach. For example, lighting installation could highlight the murals' visibility and act as a deterrent to vandalism.
2. Number/Locations:
 - It is recommended that three sites for murals be chosen by the Barton Street Revitalization Committee in the first year of the programme.
 - If required by choice of sites (private property), building owners will be asked for approval of the installation of murals. Owners will be invited to participate on the selection committee.
3. Competition:
 - A call for entry will be advertised, open to visual artists in the Hamilton region who have experience in mural-making. The call for entry will announce the theme, locations, design requirements, submission deadline and any other necessary criteria.
 - Artists will choose one of two locations and create a design for that location.
 - A selection committee will be established; members of this committee will include two professional visual artists, BIA representative, the City Arts Co-ordinator, any affected property owners and neighbourhood residents.

4. Theme:
- Subject matter chosen by the artists for their mural proposals should celebrate the people, events and environment of Hamilton.
5. Time Frame
- June 6, 1995 hiring of project co-ordinator; approval of sites, budget allocations; competition guidelines
 - June 25 announcement of competition/call for entry
 - July 26 deadline for entries
 - July 28 Selection Committee Meeting
 - September 16 Completion of murals, unveiling reception
6. Budget
- 2 Artists' Commissions: \$5,000. each
 - Programme expenses: \$2,500.
 - Total: \$12,500.
7. Process
- Three potential locations have been identified. The first two locations are preferred. The third location is noted as an alternative. The owners of those businesses will be approached for consent to erect mural panels on the exterior walls of their buildings.
 - A recommendation will be sent to Planning and Development Committee to allocate the \$20,000. from the primary revitalization project budget for the murals and sign programme.
 - Specifications for the murals and signs projects will be detailed in the call for entry and project brief.

IV ARTIST-DESIGNED SIGNS

1. Co-ordination
- Initially, staff will act as primary contact to facilitate linking of artists and business owners. BIA members will each deal directly with their chosen artist to co-ordinate sign and, if desired, facade design elements.
2. Resources
- A resource list of established, professional local artists will be compiled for distribution.
 - A slide presentation of various artists' work will be assembled, available for showing to groups of business owners.
3. Budget
- The Revitalization Programme will provide \$7,500. from the murals allocation to partially subsidize the development of artist-designed signs. Property owners would be expected to contribute up to fifty percent of the sign costs.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SEVENTEENTH** Report for 1995 and respectfully recommends:

1.
 - (a) That the City resolve Ontario Court (General Division) Action No. 26210/91 by the payment to the Plaintiff, Wayne Horning, of the sum of \$3,000. inclusive of damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 26210/91 be dismissed without costs.
2.
 - (a) That the City of Hamilton resolve Ontario Court (General Division) Action # 29600/91 by the payment to the Plaintiff, Joan Meredith Pendlebury, of the sum of \$26,682.19 inclusive of damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action # 29600/91 be dismissed without costs.
3.
 - (a) That the City of Hamilton resolve Ontario Court (General Division) Action # 25049/91 by accepting from the Defendants the sum of \$46,325.68 in full satisfaction of all claims for damages, interest and costs; and,
 - (b) That the Mayor and City Clerk be authorized to execute a Full and Final Release in this matter in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action # 25049/91 be dismissed without costs.

4. (a) (i) That the City agree to indemnify the Regional Municipality of Hamilton-Wentworth with respect to third party claims arising out of the actions of Regional employees engaged in work on behalf of the City of Hamilton, and further, to indemnify the said Regional employees in the same fashion, and on the same terms, as apply to City employees pursuant to City of Hamilton By-Law No. 90-089; and,

(ii) That the City of Hamilton extend full co-operation to the Region on third party claims involving work done on behalf of the Region by City employees, including making available Claims Investigation Reports prepared by the City, and requested by the Region, on the understanding that the Regional Municipality agrees to indemnify and save harmless the City from any damages, costs, or consequences resulting from the release to any third party of a copy of a Claims Investigation Report provided by the City of Hamilton; and,

(iii) That notwithstanding the foregoing, each municipality shall remain solely responsible for any damages or claims arising out of the operation of any motor vehicle owned by it, or operated by its employees in the scope of their employment; and,

(iv) That notwithstanding the foregoing, each municipality shall remain solely responsible for any Workers Compensation claims, Short or Long Term Disability claims or other benefits claims, with respect to its own employees; and,

(b) That the Region be requested to indemnify the Corporation of the City of Hamilton and its employees engaged in work on behalf of the Region as per the above; and,

(c) That this Resolution is effective upon the passage of a reciprocal indemnity agreement by the Regional Municipality.
5. (a) That approval be given to the organizers for the 1995 National Road Cycling Championships to use the City Hall Forecourt on Sunday, 1995 August 27, between the hours of 1:00 o'clock p.m. to 5:00 o'clock p.m., for the start and finish of the 1995 National Cycling Championships; and,

(b) That the City Clerk be granted authority to approve similar use in future years, provided it does not interfere with any other activity.

6. That Aldermen D. Wilson, D. Drury and F. Eisenberger be appointed members of the Bingo Hall Review Committee, to review and consider applications for the establishment of new bingo halls and the upgrading or relocating of existing bingo halls in the City of Hamilton, pursuant to the Provincial Criteria and Procedures for Bingo Halls.
7. That approval be given to the Croatia Day Committee to fly the Croatian Flag at City Hall on Tuesday, 1995 May 30.
8.
 - (a) That approval be given to the Bahá'i Community of Hamilton to use the City Hall Forecourt from Monday, 1995 July 17 until Sunday, 1995 July 23 between the hours of 8:30 o'clock a.m. until 4:30 o'clock p.m., for a display and serving of refreshments; and,
 - (b) That the City Clerk be granted authority to approve similar use in future years, provided it does not interfere with any other activity.
9.
 - (a) That approval be given to the North Hamilton Community Health Centre for the use of the City Hall Forecourt on either Friday, 1995 September 29 or Monday, 1995 October 2, between the hours of 8:00 o'clock a.m. until 4:00 o'clock p.m., to set up booths for the launching of Community Health Week; and,
 - (b) That the City Clerk be granted authority to approve similar use in future years, provided it does not interfere with any other activity.
10.
 - (a) That the Treasurer and the City Solicitor prepare the necessary documentation and the City enter into an extension agreement pursuant to The Municipal Tax Sales Act, 1984, with the owner of 68 Hillyard Street (care of the Public Trustee), for the repayment of outstanding realty taxes by equal monthly payments to a maximum time period of 72 months; and,
 - (b) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

- (i) 14 Dalkeith
- (ii) 118 Jackson East
- (iii) 262 Wellington North
- (iv) 247 Gibson
- (v) 26 Glenburn
- (vi) 19 John Street South
- (vii) 802 Cannon Street East
- (viii) 1394 King Street East
- (ix) 74 Wentworth Street South

- (c) That the By-law to authorize the said Extension Agreements be enacted by Council; and,
- (d) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

11. That purchase orders be issued for the supply and delivery of Gasoline and Diesel Fuels to various City Departments as and when required to 1998 June 30, in accordance with specifications issued by the Manager of Purchasing, Public Transport/HSR and Vendors' tenders, and be financed through various approved accounts, as follows:

- (a) Esso Imperial Oil, Willowdale
Diesel #2 Regular and #1 Premium \$0.4040 per litre
- (b) Shell Canada, North York
Gasoline Unleaded \$0.4958 per litre
Premium \$0.5513 per litre

12. That a purchase order be issued to Aero Mode Ltd., Montreal and Toronto, to supply and deliver fatigue uniforms as and when required by the Hamilton Fire Department during 1995. This is the lowest of three tenders received in accordance with specifications issued by the Assistant Manager of Purchasing and Vendor's tender. The expenditure is to be financed through Uniforms, Clothing Account No. CH 56104 48001, as follows:

- (a) Short Sleeve Shirts (each) \$25.
 - (b) Trousers (each) \$33.
 - (c) Uniforms Jackets (each) \$47.
- All taxes extra

13. That the listing of Appointments To and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1995 June 9, attached herewith and marked Appendix "A", be approved.
14. That the following Administrative Assistant IV positions be retitled from Administrative Assistant IV to Administrative Assistant III and be reclassified from Salary Level "Q" to Salary Grade "P" of the Non-Union Salary Schedule, retroactive to 1992 November 16th.
 - (a) Administrative Assistant III (Arenas & Technical Services)
 - (b) Administrative Assistant III (Community Services)
 - (c) Administrative Assistant III (Cultural Division)
15.
 - (a) That a purchase order be issued to Family Services of Hamilton-Wentworth Inc. to provide services for the Employee Assistance Program, effective 1995 August 1, for a fee of \$6,283.33 per month, to be funded from Account No. 142300-57723 Employee Assistance, City; and,
 - (b) That the agreement be subject to modification effective 1995 October 1 to reflect a monthly fee of \$3,141.67 for funding of a reduced program in the event a cost-sharing arrangement with the employees is not obtained; and,
 - (c) That the Commissioner of Human Resources be authorized and directed to enter into an agreement between the Corporation of the City of Hamilton and Family Services of Hamilton-Wentworth to provide services for the Employee Assistance Program, upon the employer/employee cost-sharing arrangements being established; and,
 - (d) That the Chief Administrative Officer and City Clerk be authorized and directed to execute the agreement outlined in recommendation (c) in a form satisfactory to the City Solicitor.
16.
 - (a) That the City purchase a 1/2 page space in the Special Commemorative Issue of the Hamilton and District Chamber of Commerce's publication Panorama, to congratulate the Chamber on its 150th Birthday, at a cost not to exceed \$350.; and,
 - (b) That funds for this purchase be charged to the City's Advertising Account Number CH 56302 12001.

17. (a) That the tax arrears, accumulated penalties and interest applicable to the following properties as of the tax sale date of 1995 May 23, be deleted from the tax rolls and charged to the Reserve for Property Purchases:
 - (i) 411 Britannia Avenue
 - (ii) 648 Barton Street East
 - (iii) 11 Arthur Avenue South
 - (b) That the Director of Property be authorized to proceed with the sale of these properties in accordance with the Realty Sales Procedural By-Law No. 95-049 if they are not required for municipal purposes; and,
 - (c) That the costs associated with securing and/or maintaining these properties be charged to the Reserve for Property Purchases and any subsequent recoveries upon disposition be credited back to the Reserve.
-
18. (a) That City of Hamilton Procedural By-law No. 82-203 be amended to provide for the following:
 - (i) To expand the reason for the Acting Mayor to serve in place and stead of the Mayor to include "or other cause" in addition to illness. This would also include the Acting Mayor being unable to act due to illness "or other cause"; and,
 - (ii) To remove the requirement for an Alderman to serve on Council for at least seven months before being appointed as Acting Mayor; and,
 - (iii) To remove reference to the meetings of Council in the months of June, July, August, September and December being on a particular Tuesday of each of those months in order to provide flexibility to Council in choosing meeting days for those months; and,
 - (iv) To request written notice to be delivered to each Council Member at least "24 hours" before the meeting instead of at least "one day" before the meeting as currently provided for when calling Special Meetings of Council; and,
 - (v) To require the Clerk to be in attendance at all times in order to constitute a legal Council meeting; and,
 - (vi) To require One reading of the Bills; and,

- (vii) To require all new business not included in the pre-printed Council agenda to require the invoking of Rule 9 to place it before Council for consideration including new business from a Committee; and,
 - (viii) To amend the funding requirements for funding not provided for in the approved budgets; and,
 - (ix) To allow the reconsideration rule not to apply to any matter re-submitted to Council by a Standing Committee who submitted the matter initially; and,
 - (x) To require that Notices of Motion are printed in the agenda of the next subsequent meeting of Council and when a Notice of Motion is not proceeded with by the mover after three consecutive meetings, that it be deemed to have been withdrawn; and,
 - (xi) To specify that points of order or procedure not provided for in the Procedural By-law be decided in accordance with the established practice of Council if not provided for in Bourinot's Rules of Order; and,
 - (xii) To state that no Committee shall deal with any matter outside municipal jurisdiction; and,
 - (xiii) To state that negative recommendations need not be forwarded to Council by the Standing Committees unless legislatively required or if desired by the Committee; and,
 - (xiv) To require written submissions from proposed delegations at least seventy-two hours before the time of the committee meeting; and,
 - (xv) To summarize the duties of the Standing Committees; and,
 - (b) That the City Solicitor be authorized and directed to prepare the appropriate amending By-law.
19. (a) That the City of Hamilton Licence By-law No. 93-069, Schedule 4, respecting Taxicabs, be amended to permit rear window advertising in Taxicabs, on a six month trial basis, effective 1995 June 30,; and,
- (b) That the City Solicitor be authorized and directed to prepare the appropriate By-law amendment.

20. (a) That the City of Hamilton By-law No. 93-069, Schedule 16, respecting the licensing, regulating and governing of refreshment vehicles, be amended to provide for the following:
 - (i) (1) The definition of a refreshment vehicle to include a refreshment cart, refreshment cycle and motorized refreshment vehicle; and,
 - (2) The definition of an eating establishment to mean a building or premise where food is prepared and offered for sale and consumption either therein or elsewhere; and,
 - (3) All reference to driver's duties and responsibilities be replaced by operator's duties and responsibilities; and,
 - (ii) (1) That the owner and/or operator of the refreshment vehicle comply with all the regulations in the by-law; and,
 - (iii) That the by-law also provide for the following:
 - (1) An annual inspection of the refreshment vehicle by the Licence Division and Environmental Health; and,
 - (2) The business name and City of Hamilton licence affixed in a position, approved by the Licence Division; and,
 - (3) The owner of a licensed eating establishment be permitted to operate his own licensed refreshment cart, as an auxiliary use to his business; and,
 - (4) A licensed refreshment vehicle to operate within 100 yards of an eating establishment or a City park, if there is prior written approval from the owner(s) of the eating establishment(s) or the appropriate City authority; and,
 - (5) Upon request by the City, the licence holder to provide written permission to locate on private property; and,
 - (6) All refreshment cycles to comply with the regulations of the Highway Traffic Act; and,
- (b) That the City Solicitor be authorized and directed to prepare the appropriate amending By-law.

21. (a) That the City of Hamilton By-law No. 93-069, Schedule 8, respecting Eating Establishments, be amended to provide for the following:
 - (i) A new classification of "restaurant take-out", defined as a building or premise where food is prepared; offered for sale, but consumed elsewhere, and no seating accommodation is provided; and,
 - (ii) The deletion of the requirement for a public hall licence in an eating establishment, if dancing and/or entertainment is provided as an incidental use to the business; and,
- (b) That the City Solicitor be authorized and directed to prepare the appropriate amending By-law.
22. (a) That City Council accept the Letter of Resignation dated 1995 June 13 from Ward 5 Alderman Dominic Agostino, effective 1995 June 8; and,
- (b) That City Council declare the Ward 5 Aldermanic Seat vacant in accordance with Section 43 of the Municipal Act, R.S.O. 1990; and,
- (c) That a By-Election be held in accordance with Section 46 of The Municipal Act, R.S.O. 1990, to fill the Aldermanic vacancy; and,
- (d) That the City Solicitor be authorized to prepare the required By-law to provide for a Ward 5 By-Election.
23. That the L.L.B.O. be advised that the City has no objection to the issuance of a temporary extension of liquor licence for the Texas Border Grill and Boot Bar, 77 King William Street on Sunday, 1995 August 20th on the following conditions:
 - (a) That the liquor permit specify a bar closing time of 11:00 o'clock p.m.; and,
 - (b) That the Noise Control Officer be in attendance to monitor noise levels; and,
 - (c) That Texas Border erect double snow fencing around the area where liquor is being sold and consumed; and,
 - (d) That Police Officers be hired by the Texas Border in accordance with the requirements of the Hamilton-Wentworth Regional Police; and,

- (e) That the Texas Border submit a plan to the Hamilton-Wentworth Regional Police for crowd control and over-capacity; and,
 - (f) That the terms and conditions required by The Hamilton Parking Authority in connection with the rental of municipal parking lot #1 be satisfied.
 - (g)
 - (i) That the Texas Border Grill and Boot Bar provides the City with a Certificate of Insurance which evidences \$5,000,000. public liability insurance which shall include liquor licence liability; and
 - (ii) That the Certificate of Insurance shall name the Corporation of the City of Hamilton and the Hamilton Parking Authority as additional insureds; and,
 - (iii) That the Texas Border Grill and Boot Bar shall provide for cross-liability and severability.
24. That the property at 401-403 King Street West be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049.
25. (a) That approval be given to issue a purchase order to Marsh Energy Inc. of Burlington, Ontario in the amount of \$58,850. inclusive of G.S.T. (\$3,850.) for the preliminary engineering evaluation of alternative site CH-2 (City Hall) for the Central Utilities Cogeneration Plant; and,
- (b) That as timing is of the essence due to this project being funded through the Canada/Ontario Infrastructure Works Program, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."
26. (a) That authorization be given to establish a purchase order in the amount of \$3,649,427. inclusive of G.S.T. (\$223,886.) for accounting purposes, only becoming effective upon execution of a formal Agreement, prepared by the City Solicitor, between the City and Toromont/Caterpillar of Concord, Ontario for the supply, installation and commissioning of two 3612 engine-generator sets with a nominal output of 2,100 kilowatts for the Central Utilities Cogeneration Plant, this being the lowest of three proposals received in accordance with the specifications issued by the Purchasing Division, Ref:C14-4-95; and,

- (b) That the Mayor and City Clerk be authorized and directed to execute the said Agreement on behalf of the City; and,
 - (c) That the Agreement specify the various stages of engine construction completion at which particular amounts of the total money amount in (a) will be payable, as per a Schedule of Payment to be agreed by the City and Toromont/Caterpillar; and,
 - (d) That the Director of Property be authorized and directed to initiate negotiations with Toromont/Caterpillar for an extended maintenance agreement for the engine-generator sets; and,
 - (e) That as Toromont/Caterpillar offered various options for larger capacity generators along with their base bid proposal which may prove to be beneficial to the City, the Director of Property be authorized to evaluate, along with the City's Consultant, Marsh Energy Inc., the two options submitted and prepare a report for the next scheduled Committee and Council meetings. In the event the City, in its sole discretion decides to pursue the acquisition and installation of such larger capacity generators, then the Agreement referred to in (a) to (c) above would be amended accordingly. **REFERRED BACK.**
27. (a) That Section 11 (a) and (b) of the Fifteenth Report of the Finance and Administration Committee adopted by City Council at its meeting held 1994 October 11, be rescinded with respect to any references to Andersen Consulting of Etobicoke; and,
- (b) That the Director of Information Systems be authorized to issue a request for proposals for Consulting firms to undertake the operational review portion of the Study of the Information Systems Department.
28. (a) For the information of the members of City Council, the Finance and Administration Committee have appointed the following to serve on the Taxi Advisory Committee for a term to expire 1997 November 30:
- (i) Taxi Brokerage Representatives:
 - Ron VanKleef
 - Veterans Taxi
 - Anthony Rizzuto
 - Blue Line Transportation Ltd.

Paul Devlin
Hamilton Yellow Cab Company Ltd.

(ii) Citizen Representatives: Dennis McIndless
Allan Quicke
Marlene Thomas Osbourne

(iii) Taxi Industry Professionals:
Bob Bourke
Sandra Lee Keiko Fukumoto
George Hutchinson

(iv) City Council Representatives:
Alderman D. Drury
Alderman F. Eisenberger

(b) For the information of the members of City Council, the Finance and Administration Committee have appointed the following citizens be appointed to serve on the Hamilton Farmer's Market Sub-Committee for a term to expire 1997 November 30:

(i) Bob Lewis
(ii) Robert Menagh
(iii) Alderman T. Anderson
(iv) Alderman D. Wilson

29. (a) That the four Street Vendor locations be awarded for the period commencing 1995 June to the end of 1998 December, to the successful proponents, one cart per location, as listed:

<u>NAME</u>	<u>LOCATION</u>	<u>PRODUCT</u>	<u>FEE</u>
Mustafa Ghamishah	N/E Corner of King & Catharine	Sausage/Hot Dogs	\$2,000.
	North side of King E. of James	Sausage/Hot Dogs	\$7,200.
Troy D'Souza	Jarvis Square Clock Tower	Sausage/Hot Dogs	\$1,080.
	Victoria and Barton	Sausage/Hot Dogs	\$ 780.

- (b) That this approval be subject to confirmation of the following:
 - (i) That the products offered for sale are approved by the Hamilton-Wentworth Regional Health Department; and,
 - (ii) That the submitted bids remain unchanged following the review by the Health Department; and,
 - (c) That the proponents enter into a legal agreement satisfactory to the City; and,
 - (d) That the City Solicitor be authorized to execute the agreements.
30. That leave be granted to introduce the following Bills:
- (a) D-47 A By-law to authorize an Extension Agreement for Payment of Realty Tax Arrears.
 - (b) D-48 A By-law to Require an Election to fill a Vacancy in Ward 5.
 - (c) D-49 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
 - (d) D-50 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1995 June 20**

Appendix "A" referred
to in Section 13 of the
SEVENTEENTH Report of the
Finance and Administration
Committee for 1995.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Mike D'Agata	I	Lead Hand Welder (T3)	Fleet	Replacing Mr. M. Bellehumeur - retired, June 30/94	\$48,214.40	May 08/95
Mr. Charles Porter	I	Probationary Communications Fire Operator (N1)		Replacing Ms. S. McCallum - retired, March 31/95	\$36,867.15	May 08/95
Mr. Terry Stephenson	I	Lead Hand/Truck Driver (D17)	Public Works	Replacing Mr. P. Dellerba - terminated Feb. 16/95	\$37,146.72	April 07/95

Prepared June 9, 1995

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Gerald Cuddy	Manager Business Application Systems	Information Systems	Retired (Early)	24 years, 7 months	June 30/95
Mr. Anthony Diligenti	Truck Driver "A"	Public Works	Terminated	17 years	June 25/95
Mr. Carlyle Gates	Firefighter I	Fire	Retired (Early)	30 years	May 05/95
Mr. Herbert Williams	Cemetery Gardener	Public Works	Deceased	23 years, 9 months	April 17/95

Prepared June 9, 1995

Glossary of Terms

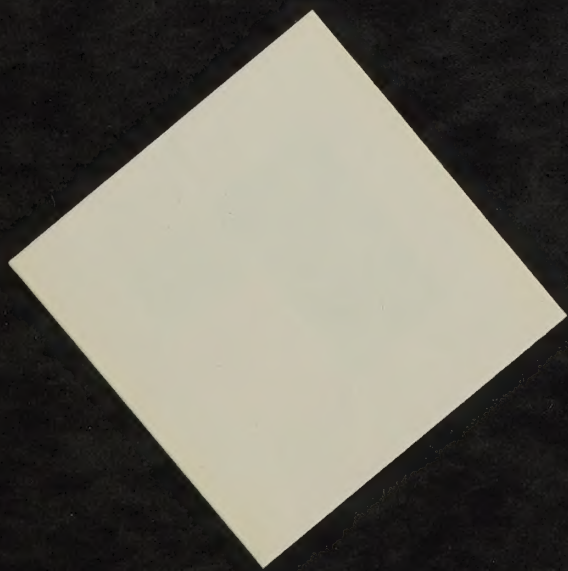
Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

The following table shows the results of the analysis of the data collected from the survey of the 1000 households in the city of London in 1951. The table is divided into two main sections: the first section shows the results of the analysis of the data collected from the survey of the 1000 households in the city of London in 1951, and the second section shows the results of the analysis of the data collected from the survey of the 1000 households in the city of London in 1951.

Results of the analysis of the data collected from the survey of the 1000 households in the city of London in 1951	
Number of households	1000
Number of persons	3000
Number of males	1500
Number of females	1500
Number of children	500
Number of adults	2500
Number of married couples	400
Number of single persons	2100
Number of widows	100
Number of orphans	50
Number of persons living alone	100
Number of persons living in pairs	200
Number of persons living in groups of three or more	100
Number of persons living in families	400
Number of persons living in lodgings	100
Number of persons living in hostels	100
Number of persons living in other types of accommodation	100

The following table shows the results of the analysis of the data collected from the survey of the 1000 households in the city of London in 1951. The table is divided into two main sections: the first section shows the results of the analysis of the data collected from the survey of the 1000 households in the city of London in 1951, and the second section shows the results of the analysis of the data collected from the survey of the 1000 households in the city of London in 1951.



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